

# Michigan Register

Issue No. 9 – 2002 (Published June 1, 2002)



# GRAPHIC IMAGES IN THE MICHIGAN REGISTER

## COVER DRAWING

### *Michigan State Capitol:*

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

## PAGE GRAPHICS

### *Capitol Dome:*

The architectural rendering of the Michigan State Capitol's dome is the work of Elijah E. Myers, the building's renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers' fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19<sup>th</sup> century have survived. Michigan is fortunate that many of Myers' designs for the Capitol were found in the building's attic in the 1950's. As part of the state's 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

### *East Elevation of the Michigan State Capitol:*

When Myers' drawings were discovered in the 1950's, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building's recent restoration (1989-1992), this drawing was commissioned to recreate the architect's original rendering of the east (front) elevation.

(Michigan Capitol Committee)

# Michigan Register

Published pursuant to § 24.208 of  
The Michigan Compiled Laws



Issue No. 9 — 2002

(This issue, published June 1, 2002, contains  
documents filed from May 1, 2002 to May 15, 2002)

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**John Engler, Governor**



**Dick Posthumus, Lieutenant Governor**

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## PREFACE

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### PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Office of Regulatory Reform publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

MCL 24.208 states:

Sec. 8 (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

- (a) Executive orders and executive reorganization orders.
  - (b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.
  - (c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.
  - (d) Proposed administrative rules.
  - (e) Notices of public hearings on proposed administrative rules.
  - (f) Administrative rules filed with the secretary of state.
  - (g) Emergency rules filed with the secretary of state.
  - (h) Notice of proposed and adopted agency guidelines.
  - (i) Other official information considered necessary or appropriate by the office of regulatory reform.
  - (j) Attorney general opinions.
  - (k) All of the items listed in section 7(1) after final approval by the certificate of need commission or the statewide health coordinating council under section 22215 or 22217 of the public health code, 1978 PA 368, MCL 333.22215 and 333.22217.
- (2) The office of regulatory reform shall publish a cumulative index for the Michigan register.
  - (3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.
  - (4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the office of regulatory reform may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.
  - (5) An agency shall transmit a copy of the proposed rules and notice of public hearing to the office of regulatory reform for publication in the Michigan register.

MCL 4.1203 states:

Sec. 203. (1) The Michigan register fund is created in the state treasury and shall be administered by the office of regulatory reform. The fund shall be expended only as provided in this section.

- (2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.
- (3) The Michigan register fund shall be used to pay the costs preparing, printing, and distributing the Michigan register.
- (4) The department of management and budget shall sell copies of Michigan register at a price determined by the office of regulatory reform not to exceed cost of preparation, printing, and distribution.
- (5) Notwithstanding section 204, beginning January 1, 2001, the office of regulatory reform shall make the text of the Michigan register available to the public on the internet.
- (6) The information described in subsection (5) that is maintained by the office of regulatory reform shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the office of regulatory reform shall be made available in the shortest feasible time after it is made available to the office of regulatory reform.
- (7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).
- (8) The office of regulatory reform shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).
- (9) As used in this section, "Michigan register" means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

#### **CITATION TO THE MICHIGAN REGISTER**

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

#### **CLOSING DATES AND PUBLICATION SCHEDULE**

The deadlines for submitting documents to the Office of Regulatory Reform for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The Office of Regulatory Reform is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, Office of Regulatory Reform, Executive Office, George W. Romney Building, 111 S. Capitol Avenue, Lansing, MI 48933

### **RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE**

The *Michigan Administrative Code* (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the *Michigan Register*. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the *Register* during a given calendar year. Emergency rules published in an issue of the *Register* are noted in the annual supplement to the Code.

### **SUBSCRIPTIONS AND DISTRIBUTION**

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of \$110.00 per year. Submit subscription requests to: DMB, Office of Administrative Services, P.O. Box 30026, 320 South Walnut Street, Lansing, MI 48909. Checks Payable: State of Michigan. Any questions should be directed to the Office of Regulatory Reform (517) 373-0526.

### **INTERNET ACCESS**

The *Michigan Register* can be viewed free of charge on the Internet web site of the Office of Regulatory Reform: [www.state.mi.us/orr](http://www.state.mi.us/orr)

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the Office of Regulatory Reform Internet web site. The electronic version of the *Register* can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Brian D. Devlin, Director  
Office of Regulatory Reform



## 2002 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
2002		
1	January 15, 2002	February 1, 2002
2	February 1, 2002	February 15, 2002
3	February 15, 2002	March 1, 2002
4	March 1, 2002	March 15, 2002
5	March 15, 2002	April 1, 2002
6	April 1, 2002	April 15, 2002
7	April 15, 2002	May 1, 2002
9	May 1, 2002	May 15, 2002
9	May 15, 2002	June 1, 2002
10	June 1, 2002	June 15, 2002
11	June 15, 2002	July 1, 2002
12	July 1, 2002	July 15, 2002
13	July 15, 2002	August 1, 2002
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18	October 1, 2002	October 15, 2002
19	October 15, 2002	November 1, 2002
20	November 1, 2002	November 15, 2002
21	November 15, 2002	December 1, 2002
22	December 1, 2002	December 15, 2002
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24	January 1, 2002	January 15, 2002

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**ADMINISTRATIVE RULES**  
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*MCL 24.208 states in part:*

*“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:*

\*       \*       \*

*(f) Administrative rules filed with the secretary of state.”*

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**ADMINISTRATIVE RULES**

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**ORR # 2000-34**

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

**DIRECTORS OFFICE**

**REAL ESTATE APPRAISERS**

Filed with the Secretary of State on May 13, 2002.

These rules take effect 7 days after filing with the Secretary of State

(By authority conferred on the department of consumer and industry services by sections 205, 308, 2605, and 2617 of 1980 PA 299, MCL 339.205, 339.308, 339.2605 and 339.2617 and Executive Reorganization Order No. 1996-2, MCL 445.2001)

R 339.23101, R 339.23103, R 339.23201, R 339.23203, R 339.23207, R 339.23301, R 339.23303, R 339.23307, R 339.23309, R 339.23311, R 339.23317, R 339.23319, R 339.23321, R 339.23323, R 339.23401, R 339.23403, and R 339.23405 of the Michigan Administrative Code are amended, and R 339.23326 is added to the Code, as follows:

**PART 1. GENERAL PROVISIONS**

**R 339.23101 Definitions.**

Rule 101. (1) As used in these rules:

- (a) AA course covering the “uniform standards of professional appraisal practice@ in section 2627(5) and the “uniform standards of appraisal practice and ethics” in sections 2611(1), 2613(a)(xv), 2614(b)(xv), and 2615 (b)(xv) of the act means the 15-hour national USPAP course or the 7-hour national USPAP update seminar, or their equivalent, as required by the AQB real property appraiser qualification criteria, adopted on October 27, 2000, and effective January 1, 2003.
- (b) "Act" means 1980 PA 299, MCL 339.101 et seq., and known as the occupational code.
- (c) "Board" means the board of real estate appraisers.
- (d) "Licensee" means an individual who is licensed under article 26 of the act, including a real estate valuation specialist, a limited real estate appraiser, a state licensed real estate appraiser, a certified residential real estate appraiser, or a certified general real estate appraiser.
- (e) "Market analysis as performed by a real estate licensee” means the activity defined in section 2601(a)(i) and (ii) of the act, and means analysis solely for the purpose of establishing potential sale, purchase, or listing price of real property or the rental rate of real property and is not for the purpose of evaluating a property for mortgage lenders in the primary or secondary mortgage market.
- (f) "Real estate "consulting” as used in sections 2613, 2614 and 2615 of the act, is that function or functions described in standards 4 and 5 of the uniform standards of professional appraisal practice.
- (g) “Transaction value” means any of the following:
  - (i) For loans or other extensions of credit, the amount of the loan or the extension of credit.

- (ii) For sales, leases, purchases, and investments, or in exchanges of real property, the market value of the real property interest involved.
- (iii) For the pooling of loans or interests in real property for resale or purchase, the amount of the loan or market value of the real property calculated with respect to each such loan or interest in real property.
- (h) A Uniform standards of professional appraisal practice or “USPAP” means the uniform standards of professional appraisal practice, published by the Appraisal Foundation, effective January 1, 2002. Copies of the USPAP 2002 edition are available at a cost of \$30.00, plus \$5.50 for shipping, at the time of adoption of these rules, from The Appraisal Foundation, 1029 Vermont Avenue NW, Suite 900, Washington DC 20005-3517; Mail Orders: P.O. Box 96724, Washington D.C. 20090-6734, Phone: toll-free 800/805-7857, or 240/864-0100, Internet address: [www.appraisalfoundation.org](http://www.appraisalfoundation.org). The USPAP 2002 edition can be reviewed or purchased from the Department of Consumer and Industry Services, Bureau of Commercial Services, 2501 Woodlake Circle, Okemos, Michigan 48864, Telephone: 517/ 241-9236, at a cost as of the time of adoption of these rules of \$50.00, plus \$11.00 shipping and handling costs.
- (2) Terms defined in articles 1 through 6 and 26 of the act have the same meanings when used in these rules.

**R 339.23103 Board meetings.**

Rule 103. All board meetings are conducted in accordance with 1976 PA 267, MCL 15.261 et seq., known as the open meetings act, and are open to the public.

**PART 2. LICENSING**

**R 339.23201 Acceptable appraisal experience generally.**

Rule 201. (1) Credit for appraisal experience shall be based on the actual performance of appraisals. The department shall not grant experience credit to an applicant solely on the basis of total hours of employment in an appraisal firm or other entity. The actual performance of appraisals includes time spent in such professional activities as personally inspecting real property, conducting research and developing materials supporting the appraisal, preparing the content of appraisal reports, and presenting the appraisal to the client. It does not include time spent in the solicitation of business, negotiation and development of client agreements, clerical tasks, or business accounting and collections, even though such tasks may be appropriately billed to a client as a necessary part of performing the appraisal.

(2) Credit shall not be given for performing more than 40 hours per week of professional experience unless specific experience, which is verified by a supervisor, can be provided to demonstrate that an individual worked more hours in that week. However, experience in excess of 40 hours a week that is obtained before January 1, 1992, may be verified by a supervisor's affidavit.

(3) Hours credited per appraisal shall be credited based upon the number of hours spent on each assignment, not to exceed the number of hours in the following table. Requests for exceptions shall be approved or denied by the department.

PROPERTY TYPES	MAX. ALLOWABLE HOURS
SINGLE FAMILY RESIDENTIAL	8
RESIDENTIAL MULTI FAMILY (2 to 4 UNITS)	20
RESIDENTIAL MULTI FAMILY (5 to 12 UNITS)	36
RESIDENTIAL MULTI FAMILY (13 OR MORE UNITS)	40
RESIDENTIAL LOT	6
SUBDIVISIONS	40
RURAL RESIDENTIAL LAND (IMPROVED 20 ACRES OR LESS)	16
RURAL RESIDENTIAL LAND (VACANT 20 ACRES OR LESS)	12
AGRICULTURAL FARM OR FOREST LAND	40
INDUSTRIAL (INDUSTRIAL PARK, BUSINESS CAMPUS, WAREHOUSING, MANUFACTURING PLANT, ETC.)	40
INDUSTRIAL PARK OR BUSINESS CAMPUS LAND (VACANT)	24
MULTI FAMILY LAND (VACANT)	24
COMMERCIAL PROPERTIES: SINGLE TENANT MULTI TENANT (IMPROVED OFFICE BLDG, RETAIL STORE, RESTAURANT, SERVICE STATION, BANK, DAYCARE CENTER, NURSING HOME, ETC.)	40 80
COMMERCIAL LAND (VACANT)	24

(4) Qualifying experience in performing real estate appraisals on or after January 1, 1992, shall be obtained while the individual is licensed as a real estate valuation specialist, limited real estate appraiser, certified residential real estate appraiser, or state licensed real estate appraiser or is properly exempt from licensing.

(5) A limited real estate appraiser shall be subject to direct supervision by a supervising appraiser who shall be state licensed or certified in good standing. The supervising appraiser shall be responsible for the training and direct supervision of the limited real estate appraiser by accepting responsibility for the appraisal report by signing and certifying that the report is in compliance with the uniform standards of professional appraisal practice by doing both of the following:

- (a) Reviewing the appraiser trainee appraisal report or reports.
- (b) Personally inspecting each appraised property with the limited real estate appraiser until the supervising appraiser determines the limited appraiser is competent in accordance with the competency provision of the uniform standards of professional appraisal practice (USPAP) for the property type. Separate logs shall be maintained for each supervising appraiser, and each log shall contain the signature, the license or certification number, and the level of licensure of the supervising appraiser.

**R 339.23203 Appraisal experience; satisfactory evidence.**

Rule 203. (1) For an applicant's experience hours to be accepted, the experience shall be in compliance with both of the following requirements, as applicable:

(a) Appraisal experience shall be demonstrated by copies of reports and file memoranda. A detailed log which includes the date, property address, property type, and a clear indication of the time devoted to each appraisal shall be submitted to the department. The information in the log shall be capable of being documented by work samples, and shall include an affidavit of a supervisor, if requested by the department. If a supervisor is not available, if the applicant was the supervisor, or if the applicant was self-employed, then the department may require an affidavit from a professional colleague or from an institution for whom the work was performed to support the documentation of the applicant.

(b) If documentation under subdivision (a) of this subrule is not available and the appraisal experience was obtained before January 1, 1992, the hours of supervised experience shall be verified by an affidavit from the applicant's supervisor. The affidavit shall include, but not be limited to, all of the following information:

- (i) A statement that the signer has personal knowledge of the applicant's work.
- (ii) The applicant's employment history with that supervisor or employer.
- (iii) An explanation regarding why the actual log and work reports are not available.
- (iv) The number and types of appraisal reports as reported on the license application and a statement that the number of hours of appraisal experience are accurately represented.
- (v) A statement that the appraisal reports complied with the uniform standards of professional appraisal practice or the equivalent appraisal standards that were in effect at the time the appraisals were performed.
- (vi) The signature of the individual who completed the affidavit and the individual's license number and type of license, if applicable, or a statement that the signer is exempt from licensure and the reason for the exemption.

(2) An applicant for a license shall demonstrate experience gained in each of the following areas of the appraisal process:

- (a) Defining the appraisal problem.
- (b) Gathering and analyzing data.
- (c) Applying appropriate value approaches and methodology.
- Arriving at an opinion of value.
- Reporting the opinion of value.

(3) Documents that support the information that is contained in an application, an applicant's experience log, or an affidavit shall be maintained for not less than 5 years from the date of application.

**R 339.23207 Market analysis by real estate licensees; acceptable experience.**



Rule 207. Market analysis as performed by a real estate licensee may be included in the experience required in R 339.23203, if both of the following conditions are met:

- (a) The applicant provides proof that he or she was properly licensed as a real estate broker, associate broker, or salesperson when the real estate market analysis was performed.
- (b) The analysis is prepared in conformity with standards 1 and 2 of USPAP, and the individual can demonstrate that he or she is using similar techniques as appraisers to value properties and effectively utilizes the appraisal process.

### **PART 3. APPRAISER EDUCATION**

#### **R 339.23301 Definitions.**

Rule 301. As used in this part:

- (a) "Continuing education course" means a course that is represented as fulfilling the requirements of section 2627 of the act.
- (b) "Coordinator" means an individual who assumes, on behalf of a course sponsor, the responsibility pursuant to these rules for offering courses relating to the activities of real estate appraisers.
- (c) "Instructor" means an individual who is deemed qualified by the sponsor to instruct students in prelicensure or continuing education courses and who provides instruction directly and interactively in contact with students. An instructor may utilize guest speakers, but shall bear ultimate responsibility to the sponsor for the quality of information imparted to students.
- (d) "Prelicensure course" means a course that is represented as fulfilling, in whole or in part, the requirements of section 2611, 2613(a), 2614(b), or 2615(b) of the act.
- (e) "Sponsor" means an entity which meets the requirements of section 2617(2) of the act and which offers or proposes to offer either prelicensure appraiser education or continuing education.

#### **R 339.23303 Education; submission of documentation by license applicants.**

Rule 303. (1) In submitting documentation of prelicensure education obtained before the effective date of the act or from course sponsors that are not approved pursuant to these rules, the applicant shall show that the course was designed to teach individuals to perform appraisals or to augment a basic knowledge of appraisal with general information that the instructor then relates to the performance of appraisals.

(2) General educational courses, such as business, economics, statistics, or law, or general courses in real estate or real estate law will not be considered equivalent to approved prelicensure education unless a relationship to appraisal is shown in the course description, syllabus, or curriculum outline to the extent that not fewer than 15 classroom hours were specifically related to appraisal. Classroom hours of credit shall only be granted for hours that are specifically related to appraisal.

(3) An applicant's submission of documentation of prelicensure education or a submission of documentation of continuing education by a licensee shall include all of the following information:

- (a) The date and place the course was taken.
- (b) The name of the sponsor and the sponsor's current address or telephone number if available.
- (c) A copy of the course outline, syllabus, detailed curriculum, or similar information.
- (d) A copy of the certificate of completion.
- (e) The number of classroom hours spent in the course. To have the continuing education hours approved by the department, continuing education course sponsors utilizing distance learning systems shall have an acceptable method of ensuring that the student achieves an equivalent to classroom hours.

(4) In submitting documentation of education from institutions of higher education that are authorized to grant degrees which confer credit hours rather than classroom hours, 1 credit hour shall be equivalent to 10 classroom hours of actual instruction for term credits and 15 classroom hours of instruction for semester credits.

(5) Documentation to support information on the application for course approval shall be maintained for not less than 5 years from the date of the application.

(6) To assist applicants, the department shall maintain a list of courses that are acceptable to the department.

**R 339.23307 Conduct of courses; changes in courses.**

Rule 307. (1) A course sponsor shall comply with all of the following requirements:

(a) A course shall not be represented to licensees or to the public as meeting the requirements of the act and these rules until it has been approved by the department.

(b) Solicitation of organizational membership, employment, or business-related products and services is prohibited during qualifying course classroom hours.

(c) A sponsor shall appoint an individual as coordinator for the sponsor's courses. The coordinator shall be responsible for supervising the program of courses and assuring compliance with the code and these rules. The coordinator need not be a licensee.

(d) A sponsor shall permit only an instructor who meets the requirements of R 339.23309(2) to teach the course.

(e) Each student shall be provided with a written syllabus that contains, at a minimum, all of the following information:

(i) The course title.

(ii) The times and dates of the course offering.

(iii) The name, business address, and telephone number of the course coordinator and the name of the instructor.

(iv) A detailed outline of the subject matter to be covered and the estimated time to be devoted to each subject.

(f) A course shall not be credited for more than 10 classroom hours of instruction in 1 calendar day. Calculations of classroom hours for a course shall not include any of the following:

(i) Meals.

(ii) Breaks.

(iii) Registration.

(iv) Required reading.

(v) Outside assignments.

(g) Each course shall reflect the most current version of state and federal laws and regulations.

(h) A sponsor shall permit the department to review a course at any time or to inspect the records of a course sponsor during normal business hours.

(i) A sponsor whose programs are transferred to another entity shall arrange for student records to be maintained permanently by the successor entity. The successor entity shall assure that course completion information is available to students who need to verify their education.

(2) The department shall accept or reject a change in, or addition to, the information provided to the department on an original application within 30 days of notification of the change. The department may determine that a proposed change cannot be made without the submission of additional supporting documentation or that the extent or number of changes requested require the sponsor to complete a new application for approval.

(3) The department may request a sponsor to provide any additional supporting documentation that is necessary for the department to approve the course.

**R 339.23309 Sponsors; duties; instructors.**

Rule 309. (1) Each sponsor shall be responsible for all of the following:

- (a) Compliance with all laws and rules relating to appraiser education.
- (b) Providing students with current and accurate information.
- (c) Maintaining an atmosphere that is conducive to learning in the classroom.
- (d) Assuring and certifying the attendance of students who are enrolled in courses.
- (e) Providing assistance to students and responding to questions relating to course materials.
- (f) Supervising all guest lecturers and relating all information that is presented to the practice of real estate appraisal.

(2) Distance education sponsors shall ensure that all of the following qualifications for their courses are complied with:

(a) The course shall be presented with an instructor available to answer questions, provide information, and monitor student attendance.

(b) The course meets 1 of the following criteria:

The course has been presented by an accredited college or university (through the commission on colleges or a regional accreditation association) that offers distance education programs in other disciplines.

(ii) The course has received approval for college credit from the American council on education through its ACE/credit program.

(iii) The course has received approval of the international distance education certification center (IDECC) for the course design and delivery mechanism and either of the following:

(A) The approval of the appraiser qualification board through the AQB course approval program. The approval of the licensing or certifying jurisdiction where the course is being offered for the content of the course.

(c) The course meets all of the following requirements:

(i) The course is equivalent to a minimum of 2 classroom hours.

(ii) A student successfully completes a written examination proctored by an official approved by the presenting college or university or by the sponsoring organization consistent with the requirements of the course accreditation. If a written examination is not required for accreditation, a student successfully completes course mechanisms required for accreditation which demonstrate mastery and fluency.

(iii) The sponsor ensures that students completing distance education courses will achieve the equivalent of the stated classroom hours per course.

(3) A sponsor shall select as instructors only individuals who can demonstrate mastery of the material being taught and who possess 1 of the following qualifications:

(a) Experience as a faculty member of an institution of higher education that is authorized to grant degrees.

(b) A state licensed, certified residential, or certified general appraiser with 3 years of appraisal experience.

(c) Other experience acceptable to the sponsor for courses other than prelicensure courses.

(d) Instructors of the uniform standards of professional appraisal practice (USPAP) shall have complied with the AQB instructor certification program as required by the real property appraiser qualification criteria, effective January 1, 2003. This requirement will be effective in this state on January 1, 2003, or on the effective date of these rules, whichever is later.

**R 339.23311 Courses not acceptable for prelicensure or continuing education.**

Rule 311. The department shall not approve a prelicensure or continuing education course, nor shall it grant credit to a licensee under section 2627(5) of the act for any of the following:

(a) Courses that do not provide student access to an instructor during the course.

(b) For prelicensure education, distance education courses provided via the Internet.

- (c) Courses that deal with such employment-related topics as explanations of rights, benefits, and responsibilities; organizational structure; and on-the-job methods, processes, or procedures.
- (d) Membership in or service in an office, or on a committee of a professional, occupational, trade, or industry society or organization.
- (e) Conferences, delegate assemblies, or similar meetings of professional organizations for policy-making purposes.
- (f) Meetings and conventions of societies and associations; however, educational activities which are provided independently by an approved course sponsor and which are held concurrently with such meetings may be given credit.
- (g) Attendance at lecture series, cultural performances, entertainment, or recreational meetings or activities or participation in travel groups, unless these activities are an integral part of a course that is approved pursuant to these rules.
- (h) On-the-job training, apprenticeships, and other work experiences.
- (i) Courses in sales promotion, motivation, marketing, psychology, time management, or mechanical office or business skills, including typing, speed-reading, or the use of office machines or equipment other than calculators or computers.

## **PRELICENSURE EDUCATION**

### **R 339.23317 Prelicensure education; application for course approval; forms; requirements; unacceptable courses.**

Rule 317. (1) An application for approval of a prelicensure real estate appraiser education course shall be made on forms provided by the department. The department shall accept or reject an application within 60 days of receipt of the completed application.

(2) The application shall include all of the following information:

- (a) The course title.
- (b) The number of classroom hours to be given for completion of the course. As provided in section 2617(3) of the act, a course shall be not less than 15 classroom hours in length.
- (c) The name, business address, and telephone number of the sponsor.
- (d) The name, business address, and telephone number of the course coordinator.
- (e) The name, license number, and qualifications of instructors.
- (f) A detailed outline, as it will appear in the student syllabus, of the subject matter to be covered and the number of classroom hours to be devoted to each topic.

A summary of the required topics for prelicensure that are covered in the course.

A list of textbooks and reference materials.

The methodology for verifying and monitoring attendance, including the class makeup policy. A sponsor shall have a written makeup policy for students who are absent from all or a part of regularly scheduled class sessions. If there are no opportunities to make up missed sessions, that policy shall be so stated. The standards a student must meet to complete the course, including assignments, projects, examinations, and the passing score on the examination that is required pursuant to the provisions of section 2617(3) of the act to be given at the completion of the course for a student to demonstrate mastery of the material covered.

(k) A sample of any advertising material, announcements, or brochures to be used to promote the course.

(l) Proof that the sponsor is an entity that may offer prelicensure real estate appraisal education courses in accordance with the provisions of section 2617(2) of the act.

(3) Distance education courses provided via the Internet are unacceptable for prelicensure education.

**R 339.23319     Prelicensure education; student records; permanent record; course completion certificate.**

Rule 319. (1) A course sponsor shall establish and permanently maintain a record for each student. The record shall contain all of the following information:

- (a) The student's name and address.
- (b) The number of classroom hours attended.
- (c) The title of the course and the date of course completion.
- (d) The student's grade.

(2) A course sponsor shall issue a certificate of completion to a licensee who receives a passing grade in a prelicensure education course. The certificate shall include all of the following information:

- (a) The name of the student.
- (b) The name of the sponsor.
- (c) The name of the course attended.
- (d) The number of classroom hours completed by the student.
- (e) The date of course completion.
- (f) The signature of the course coordinator or instructor.

**CONTINUING EDUCATION**

**R 339.23321     Continuing education; application for course approval; forms; requirements.**

Rule 321. (1) An application for approval of a continuing education course shall be made on forms provided by the department. The department shall accept or reject the application within 60 days after receipt of the completed application.

(2) The application shall include all of the following information:

- (a) The course title.
- (b) The number of classroom hours to be given for completion of the course. As provided in section 2617 of the act, a course shall be not less than 2 classroom hours in length.
- (c) The name, business address, and telephone number of the sponsor.
- (d) The name, business address, and telephone number of the course coordinator.
- (e) The name, license number, and qualifications of instructors.
- (f) A detailed outline, as it will appear in the student syllabus, of the subject matter to be covered and the estimated time to be devoted to each topic.
- (g) A list of textbooks and reference materials.
- (h) The methodology for verifying and monitoring attendance. The course sponsor shall be responsible for determining the number of hours, if any, that will be granted to a licensee who does not attend all planned classroom hours. A licensee shall not receive credit for attending the same course more than 1 time during the same license renewal cycle.
- (i) The standards a student must meet to complete the course, including assignments, projects, or examinations. The sponsor at its discretion may give course examinations, but examinations are not required by the act or these rules for continuing education courses.
- (j) A sample of any advertising material, announcements, or brochures to be used to promote the course.
- (k) Proof that the sponsor is an entity that may offer continuing education courses in accordance with the provisions of section 2617(2) of the act.

(l) Information to demonstrate that the course meets the requirements of section 2627(3) and (4) of the act and is designed to improve and maintain the capability of a licensee to perform activities regulated by the act.

**R 339.23323 Continuing education; student records; permanent record; course completion certificate.**

Rule 323. (1) A course sponsor shall establish and permanently maintain a record for each student. The record shall contain all of the following information:

- (a) The student's name, address, and license number.
- (b) The number of classroom hours attended.
- (c) The title of the course and the date of course completion.

(2) A course sponsor shall issue a certificate of completion to a licensee who successfully completes a continuing education course. The certificate shall include all of the following information:

- (a) The name of the student.
- (b) The student's license number.
- (c) The name of the sponsor.
- (d) The name of the course attended.
- (e) The number of classroom hours completed by the student.
- (f) The date of course completion.
- (g) The signature of the course coordinator or instructor.

(3) Within 15 business days after a course ends, a sponsor shall certify to the department the names of students who complete an approved course by a method or on forms approved by the department.

**R 339.23326 Continuing education requirements for licensees.**

Rule 326. As part of the continuing education requirements defined in section 2627 of the act, each licensee shall complete at a minimum of every 4 years a 2-hour course on Michigan appraiser licensing law and rules, or a course or seminar which contains a minimum of 2 hours devoted to Michigan appraiser licensing law and rules, and every 2 years shall successfully complete the 7-hour national USPAP update course or its equivalent. Equivalency shall be determined through the AQB course approval program or by an alternate method established by the AQB.

## **PART 4. STANDARDS OF CONDUCT**

**R 339.23401 Licensee relationship to others participating in preparation of appraisals.**

Rule 401. A state licensed or certified residential or certified general real estate appraiser shall not sign an appraisal report for a federally related transaction unless that licensee has performed the appraisal in accordance with uniform standards of professional appraisal practice and is properly licensed to perform the assignment. The material participation of any other individual in preparing the report shall be acknowledged in the report as required by the uniform standards of professional appraisal practice regardless of the licensure status of the other individual. The signature of a state-licensed, a certified residential, or a certified general appraiser as a supervisory or co-signing appraiser shall not be used to mask the preparation of a report by an individual who is not authorized to sign the report.

**R 339.23403 Real estate valuation specialist; limited real estate appraiser; state licensed real estate appraiser; certified residential real estate appraiser; certified general real estate appraiser; authorized functions.**

Rule 403. (1) If a real estate valuation specialist or limited real estate appraiser is properly qualified to undertake an assignment, a real estate valuation specialist or limited real estate appraiser may perform either of the following appraisal services, if the report is signed by a supervisory state-licensed, certified residential or certified general real estate appraiser, as specified in section 2607(7) of the act, who by virtue of signing the report, assumes full responsibility for the accuracy of the report content and conclusions:

- (a) Appraise properties that are not federally related transactions or real estate related financial transactions.
- (b) Assist a state-licensed, certified residential, or certified general real estate appraiser in the development of an appraisal for a federally related transaction or a real estate related financial transaction. The real estate valuation specialist or limited real estate appraiser shall not sign the report; however, the state licensed, certified residential, or certified general real estate appraiser shall acknowledge the specific contributions of the real estate valuation specialist or limited real estate appraiser within the appraisal report.

(2) If a state-licensed real estate appraiser is properly qualified to undertake an assignment, a state-licensed real estate appraiser may perform any of the following appraisal services:

- (a) Appraise properties that are not federally related transactions.
- (b) Appraise 1 to 4-family residential properties, unless the transaction value is \$1,000,000.00 or more or the property is deemed to be complex and therefore required to be appraised by a certified residential or certified general real estate appraiser.
- (c) Appraise non-residential properties for federally related transactions and real estate related financial transactions where the transaction value is less than \$250,000.00.
- (d) Assist a certified residential or certified general real estate appraiser in the development of an appraisal of a complex residential property or a nonresidential property that is the subject of a federally related transaction, as appropriate. The state- licensed real estate appraiser shall not sign the report; however, the certified residential or certified general real estate appraiser shall acknowledge the specific contributions of the state-licensed real estate appraiser within the appraisal report.

(3) A certified residential real estate appraiser, if properly qualified to undertake an assignment, may perform any of the following appraisal assignments:

- (a) Appraise properties that are not federally related transactions.
- Appraise 1 to 4-family residential properties without regard to complexity or value.

- (c) Appraise non-residential properties for federally related transactions and real estate related financial transactions where the transaction value is less than \$250,000.00.
- (d) Assist a certified general real estate appraiser in the development of an appraisal of a non-residential property that is the subject of a federally related transaction, as appropriate. The certified residential real estate appraiser shall not sign the report. However, the certified general real estate appraiser shall identify the specific contributions of the certified residential real estate appraiser within the appraisal report.

(4) Signatures are required on appraisal reports according to the following chart. The licensee authorized to sign the report shall identify all participating licensees and their contributions to the report.

SIGNATURES REQUIRED : BY LICENSE LEVEL AND TRANSACTION CATEGORIES	NON-FEDERALLY RELATED TRANSACTIONS & NON-REAL ESTATE- RELATED FINANCIAL TRANSACTIONS	FEDERALLY RELATED TRANSACTIONS 1-4 FAMILY PROPERTIES LESS THAN \$1 MILLION IN TRANSACTION VALUE	FEDERALLY RELATED TRANSACTIONS 1-4 FAMILY PROPERTIES MORE THAN \$1 MILLION OR COMPLEX PROPERTIES MORE THAN \$250,000 IN TRANSACTION VALUE	FEDERALLY RELATED TRANSACTIONS NON- RESIDENTIAL PROPERTIES LESS THAN \$250,000 IN TRANSACTION VALUE	FEDERALLY RELATED TRANSACTIONS NON- RESIDENTIAL MORE THAN \$250,000 IN TRANSACTION VALUE
LIMITED APPRAISER	YES	NO	NO	NO	NO
STATE-LICENSED APPRAISER	YES	YES	NO	YES	NO
CERTIFIED RESIDENTIAL APPRAISER	YES	YES	YES	YES	NO
CERTIFIED GENERAL APPRAISER	YES	YES	YES	YES	YES

**R 339.23405 Advertising.**

Rule 405. (1) A licensee shall state the level of license held in all advertising. Merely stating that the person is licensed does not satisfy the provisions of this subrule. However, in a directory listing or similar situation where space is limited, it shall be sufficient disclosure for a licensee to use the words certified general, certified residential, state-licensed, limited appraiser, or valuation specialist, as appropriate, without additional wording.

(2) A licensee shall place his or her license number and license level on all reports and shall produce evidence of licensing upon request by a member of the public or a representative of the department. A license number shall not be required in advertising material.



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**CORRECTION OF OBVIOUS  
ERRORS IN PUBLICATION**

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*MCL 24.256(1) states in part:*

*“Sec. 56. (1) The office of regulatory reform shall perform the editorial work for the Michigan register and the Michigan Administrative Code and its annual supplement. The classification, arrangement, numbering, and indexing of rules shall be under the ownership and control of the office of regulatory reform, shall be uniform, and shall conform as nearly as practicable to the classification, arrangement, numbering, and indexing of the compiled laws. The office of regulatory reform may correct in the publications obvious errors in rules when requested by the promulgating agency to do so...”*

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**CORRECTION OF OBVIOUS  
ERRORS IN PUBLICATION**

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**MEMORANDUM**

May 3, 2002

Brad Deacon, Regulatory Affairs Officer  
Department of Agriculture  
P.O. Box 30017  
Lansing 48909

Re: Request for correction of R 285.814.1(g)(ii) in the Michigan Administrative Code.

Dear Mr. Deacon:

I have read your letter dated May 2, 2002 and I agree that the requested correction to R 285.814.1(g)(ii) can be made pursuant to MCL 28.256.

The Office of Regulatory Reform will immediately make the necessary correction in the Michigan Administrative Code.

Sincerely,

Brian D. Devlin, Director  
Office of Regulatory Reform  
Executive Office, Legal Division

BDD/do

**TO:** Brian Devlin, Director  
Office of Regulatory Affairs

**FROM:** Brad Deacon  
Legislative Liaison

**SUBJECT:** Request for correction of Michigan Administrative Code R 285.814.1, pursuant to Administrative Procedures Act, Section 56(1), MCL 28.256.

(ORR #2001-053) Futurity and Sire Stakes Races

**DATE:** May 2, 2002

The Department of Agriculture, as promulgating agency, is writing to request that the Office of Regulatory Reform exercise its discretion to correct an obvious error in the Michigan Administrative Code, pursuant to Administrative Procedures Act, Section 56(1), MCL 28.256.

The error is contained in rule R 285.814.1(g)(ii). The rule was recently amended and became effective on April 24, 2002.

The certified version of the rule filed with the Office of the Great Seal contains an obvious error in that the word “horses” was inadvertently left out. The effected line currently reads:

“Fedele Fauri futurity race” means a futurity for 2- and 3-year –old standardbred harness which were nominated by July 15 of the foaling year or supplemental payment in the yearling year as provided for in the race conditions.

The line should read:

“Fedele Fauri futurity race” means a futurity for 2- and 3-year –old standardbred harness horses which were nominated by July 15 of the foaling year or supplemental payment in the yearling year as provided for in the race conditions.

Please note this correction in the Michigan Register and the Michigan Administrative Code.

If you have any questions about this transmittal, you may contact Pam Fidler or me.

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**EXECUTIVE ORDERS  
AND  
EXECUTIVE REORGANIZATION ORDERS**

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*MCL 24.208 states in part:*

*“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:*

*(a) Executive orders and executive reorganization orders.”*

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**EXECUTIVE ORDERS**

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**EXECUTIVE ORDER**

**No. 2002 - 10**

**DIVISION ON DEAFNESS**

**ADVISORY COUNCIL ON DEAFNESS**

**DIVISION ON DEAF AND HARD OF HEARING**

**ADVISORY COUNCIL ON DEAF AND HARD OF HEARING**

**FAMILY INDEPENDENCE AGENCY**

**EXECUTIVE REORGANIZATION**

WHEREAS, Article V, Section 1, of the Constitution of the state of Michigan of 1963 vests the executive power in the Governor; and

WHEREAS, Article V, Section 2, of the Constitution of the state of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, Act No. 72 of the Public Acts of 1937, as amended, being Section 408.201 et seq. of the Michigan Compiled Laws, created the Division on Deafness and the Advisory Council on Deafness within the Department of Labor; and

WHEREAS, Executive Order 1996-2, being Section 445.2001 of the Michigan Compiled Laws, transferred the Division on Deafness and the Advisory Council on Deafness from the Department of Labor to the Family Independence Agency; and

WHEREAS, the current names of the Division on Deafness and the Advisory Council on Deafness do not accurately describe the entire population served by those entities; and

WHEREAS, it is necessary in the interests of efficient administration and the effectiveness of government to effect changes in the organization of the Executive Branch of government.

NOW, THEREFORE, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby order the following:

The Division on Deafness is hereby renamed the Division on Deaf and Hard of Hearing.

The Advisory Council on Deafness is hereby renamed the Advisory Council on Deaf and Hard of Hearing.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the state of Michigan of 1963, the provisions of this Executive Order shall become effective sixty (60) days from the filing of this Order.

Given under my hand and the Great Seal of the State of Michigan this \_\_\_\_\_ day of May, in the Year of our Lord, Two Thousand Two.

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GOVERNOR

BY THE GOVERNOR:

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SECRETARY OF STATE

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**OPINIONS OF THE  
ATTORNEY GENERAL**

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*MCL 14.32 states in part:*

*“It shall be the duty of the attorney general, when required, to give his opinion upon all questions of law submitted to him by the legislature, or by either branch thereof, or by the governor, auditor general, treasurer or any other state officer”*

*MCL 24.208 states in part:*

*“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:*

\*       \*       \*

*(j) Attorney general opinions. ”*

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**OPINIONS OF THE ATTORNEY GENERAL**

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INCOMPATIBILITY: Township treasurer serving as board of  
education member

PUBLIC OFFICES AND OFFICERS:

The Incompatible Public Offices Act prohibits a person from simultaneously serving as township treasurer and board of education member where the township is located within the school district.

Opinion No. 7106

May 2, 2002

Honorable Scott Shackleton  
State Representative  
The Capitol  
Lansing, MI

You have asked whether the Incompatible Public Offices Act prohibits a person from simultaneously serving as township treasurer and board of education member where the township is located within the school district.

In the Incompatible Public Offices Act (Act), 1978 PA 566, MCL 15.181 *et seq*, the Legislature has addressed the simultaneous holding of multiple public offices. Section 2 prohibits public officers and employees from simultaneously holding two or more incompatible offices. Section 1(b) defines "incompatible offices" as follows:

"Incompatible offices" means public offices held by a public official which, when the official is performing the duties of any of the public offices held by the official, results in any of the following with respect to those offices held:

- (i) The subordination of 1 public office to another.
- (ii) The supervision of 1 public office by another.



(iii) A breach of duty of public office.

A similar question was considered by the Attorney General in OAG, 1987-1988, No 6418, p 15 (January 13, 1987), where the compatibility of the offices of city treasurer and member of the county board of commissioners was reviewed under the Incompatible Public Offices Act. MCL 211.54 imposes a duty on a township treasurer to account for and pay over to the county treasurer county taxes collected by that treasurer. OAG, 1987-1988, No 6418, concluded that the city treasurer was the agent of the county in the performance of this duty and was therefore subject to *supervision* by the county board of commissioners in the collection and accounting of county taxes collected. Thus, the simultaneous holding of the two offices by the same person would be contrary to the Incompatible Public Offices Act.

OAG, 1989-1990, No 6611, p 295, 296-297 (February 23, 1990), concluded that the same person could not simultaneously occupy the offices of city treasurer and member of a board of education of a school district located in the same city. By collecting school taxes, the city treasurer was acting in a fiduciary capacity as the agent of the school district. *Grand Rapids Public Schools v City of Grand Rapids*, 146 Mich App 652; 381 NW2d 783 (1985). In performing such duties the treasurer is "subject to the *supervision* of the school board." (Emphasis added.) OAG, 1989-1990, No 6611, at 297. Thus, the offices were found to be incompatible under the Incompatible Public Offices Act.

Because the duties of a township treasurer and a city treasurer in the collection and accounting of school taxes are similar (MCL 211.43), the reasoning of OAG, 1987-1988, No 6418, *supra*, and OAG, 1989-1990, No 6611, *supra*, compels the conclusion that the same person may not simultaneously serve as township treasurer and school board member in the same school district.

It is my opinion, therefore, that the Incompatible Public Offices Act prohibits a person from simultaneously serving as township treasurer and board of education member where the township is located within the school district.

You have also asked whether the Incompatible Public Offices Act prohibits the same township treasurer and school board member from also serving as an employee of a county encompassing the township and school district. In light of my answer to your first question, it is not necessary to answer your second question.

JENNIFER M. GRANHOLM  
Attorney General

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**OPINIONS OF THE ATTORNEY GENERAL**

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EDUCATION: Test sites for nonpublic school students  
seeking Michigan Merit Award

SCHOOLS AND SCHOOL DISTRICTS:

The Michigan Merit Award Scholarship Act requires the Michigan Merit Award Board to provide test sites for nonpublic school students wishing to take assessment tests.

Opinion No. 7107

May 14, 2002

Honorable Bob Brown  
State Representative  
The Capitol  
Lansing, MI 48913

You have asked if the Michigan Merit Award Scholarship Act requires the Michigan Merit Award Board to provide test sites for nonpublic school students wishing to take assessment tests.

The Michigan Merit Award Scholarship Act, 1999 PA 94, MCL 390.1451 *et seq*, creates the Michigan merit award scholarship trust fund to provide merit awards to qualifying high school graduates. The goal of the program is to increase access to postsecondary education and training and to reward Michigan high school graduates who have demonstrated academic achievement. Section 4. The program is administered by the Michigan Merit Award Board, which is established in the Department of Treasury. Sections 4 and 7.

Under the Scholarship Act, awards are granted to Michigan students, including public and nonpublic school students, and home school students who receive qualifying results in the Michigan Education Assessment Program (MEAP) and who also meet certain other eligibility requirements set forth in the Act. Sections 2 and

7. Under the Revised School Code, 1976 PA 451, MCL 380.1 *et seq*, Michigan public schools including public school academies must administer the MEAP tests to their high school students. Section 1279. Section 1279(14) of the Revised School Code, which also gives students in nonpublic or home schools the opportunity to take the MEAP assessment, provides that:

A child who is a student in a nonpublic school or home school may take an assessment under this section. To take an assessment, a child who is a student in a home school shall contact the school district in which the child resides, and that school district shall administer the assessment, or the child may take the assessment at a nonpublic school if allowed by the nonpublic school. *Upon request from a nonpublic school, the department shall supply assessments and the nonpublic school may administer the assessment.* [Emphasis added.]

Under the Scholarship Act, the responsibility for administering MEAP tests to nonpublic school students and home school students rests with the Award Board.

A nonpublic school student or home school student may take, and *the board shall administer if requested, an assessment test at a site designated by the board.* [Section 7(11), MCL 390.1457(11). Emphasis added.]

The first step in ascertaining legislative intent is to look to the text of the statute. *Piper v Pettibone Corp*, 450 Mich 565, 571; 542 NW2d 269 (1995). Where the language of the statute is clear and unambiguous, the Legislature's intent must be carried out according to its plain meaning. *Dean v Dep't of Corrections*, 453 Mich 448, 454; 556 NW2d 458 (1996). In such instances, statutory construction is neither required nor permitted; rather, the court must apply the statutory language as written. *Piper, supra*, at 572.

Here, the Legislature's intent is clear from the statutory language. Michigan merit awards are to be available to all Michigan students, including those who attend nonpublic schools and those who are home schooled. To qualify for a merit award, a student must be able to take the MEAP test. Under the Revised School Code, nonpublic schools may administer the MEAP test but are not required to do so. Thus, a

nonpublic school student may not necessarily be able to take the MEAP test at his or her nonpublic school. In any event, the Legislature has expressly required that, if there is a request, the Award Board must administer the MEAP test to nonpublic school students and to home schooled students at a site designated by the Award Board.

It is my opinion, therefore, that the Michigan Merit Award Scholarship Act requires the Michigan Merit Award Board to provide test sites for nonpublic school students wishing to take assessment tests.

JENNIFER M. GRANHOLM  
Attorney General

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**OPINIONS OF THE ATTORNEY GENERAL**

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MUNICIPAL CORPORATIONS: Township regulation of bicycle path

TOWNSHIPS:

A township bicycle path is not a recreational trailway that can only be regulated by an ordinance that is posted and maintained near each gate or principal entrance to the bicycle path.

Opinion No. 7108

May 14, 2002

Honorable Barb Vander Veen  
State Representative  
The Capitol  
Lansing, MI

You have asked if a township bicycle path is a recreational trailway that can only be regulated by an ordinance that is posted and maintained near each gate or principal entrance to the bicycle path.

Section 21c of the Charter Township Act, 1947 PA 359, MCL 42.1 *et seq*, requires posting of ordinances regulating recreational trailways as follows:

(1) An ordinance regulating a recreational trailway is not effective unless it is posted and maintained near each gate or principal entrance to the trailway.

(2) The operation of a vehicle on a recreational trailway at a time, in a place, or in a manner prohibited by an ordinance is a municipal civil infraction, whether or not so designated by the ordinance.

Section 21c, dealing with the regulation of recreational trailways, was added to the Charter Township Act by 1994 PA 82. Section 21c makes no reference to a bicycle path. But in 1994 charter townships already possessed express statutory authority to engage in "[t]he construction, maintenance, and improvement of bicycle

paths." See section 2(1)(g) of 1954 PA 188, as then last amended by 1986 PA 180, MCL 41.722, and section 1(2) of the Charter Township Act.

In order to determine whether a bicycle path is a recreational trailway, it is necessary to determine legislative intent. That task begins with an examination of the statutory language. Words used by the Legislature must be given their common and ordinary meaning. *Nawrocki v Macomb County Rd Comm*, 463 Mich 143, 159; 615 NW2d 702 (2000). If a statute defines a term, then that definition is controlling. *Tryc v Michigan Veterans' Facility*, 451 Mich 129, 136; 545 NW2d 642 (1996). Also, in interpreting a statute, courts may look to definitions and terms used by the Legislature in other statutes. *Hatch v Grand Haven Charter Twp*, 461 Mich 457, 461-465; 606 NW2d 633 (2000).

Section 21c(2) of the Charter Township Act, which regulates the operation of a vehicle on a recreational trailway, contains no definition of the term "vehicle." However, in section 79 of the Michigan Vehicle Code, 1949 PA 300, MCL 257.1 *et seq*, the Legislature has excluded from the definition of vehicle "devices exclusively moved by human power." Thus historically, the Legislature has not included bicycles within the definition of vehicle.

Similarly, the Charter Township Act contains no definition of the term "recreational trailway." In the absence of a statutory definition, legislative history may be consulted. Michigan courts rely on legislative history, including House and Senate legislative analysis papers, in ascertaining legislative intent. *Luttrell v Dep't of Corrections*, 421 Mich 93, 103; 365 NW2d 74 (1984). The legislative analysis of HB 4350, as enrolled, which became 1994 PA 82, demonstrates that the Legislature was particularly concerned about enabling

charter townships to regulate the operation of motor vehicles on railways designated by the Natural Resources Commission as part of the Michigan railways system.

In response to concerns about the proper development of recreational railways, public support for new recreational opportunities, and growing local interest in urban "greenways", Public Acts 26, 27, and 28 of 1993 provide for the creation of a statewide railways system. *These laws authorize the Natural Resources Commission to designate railways throughout Michigan*, and permit the Department of Transportation to transfer abandoned railroad rights-of-way to the Department of Natural Resources for use as railways. . . .

\* \* \*

As envisioned by the Department of Natural Resources, the Michigan railways system will be an interconnected group of trails running through both remote countryside and the center of cities and villages, from Michigan's southern border up to the Mackinac Bridge and through the Upper Peninsula to the state's northernmost border. While this system is expected to create an array of new recreational opportunities for Michigan's citizens and tourists, it also undoubtedly will provide new opportunities for property damage and other criminal activity. *This is particularly the case if designated trails are to be used by motorized vehicles, such as cars, motorcycles, and off-road vehicles. Thus, it is necessary to give the local governmental units the means to discourage people from using vehicles on trails in a way that would violate a municipal ordinance.* [House Legislative Analysis, HB 4350, April 5, 1994; emphasis added.]

In the Michigan Trailways Act, 1993 PA 27, the Legislature first authorized the designation, use, and maintenance of a statewide system of railways. In 1995 PA 58, the Legislature repealed the Michigan Trailways Act and reenacted it as Part 721 of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, MCL 324.72101 *et seq.* Section 72101, which defines terms used in Part 721, defines "Michigan railway" and "railway" as follows:

(e) "Michigan railway" means a railway designated by the commission pursuant to section 72103.

\* \* \*

(g) "Trailway" means a land corridor that features *a broad trail capable of accommodating a variety of public recreation uses.* [Emphasis added.]



Under section 72103 of the NREPA, the Natural Resources Commission may designate a trailway as a "Michigan trailway" if it meets certain enumerated requirements. To be considered a trailway under sections 72101 and 72103, the land corridor must be capable of handling varied public recreation uses. A trailway, however, is distinguishable from a bicycle path. The distinction between the two appears in section 72104(1) of Part 721 of the NREPA, where the Legislature separately uses the terms "trailway" and "bicycle path."

(1) Upon petition by any person or on its own motion, the commission may designate a *trailway*, *bicycle path*, sidewalk, road, or other suitable route that does not meet the requirements of this part for a Michigan trailway as a "Michigan trailway connector" if the connector meets all of the following: . . . . [Emphasis added.]

Where the Legislature has distinguished between a trailway and a bicycle path, recognizing each as a separate and distinct category, the logical conclusion is that a bicycle path is not a trailway.<sup>1</sup>

The Legislature has distinguished trailways from bicycle paths in other respects. Under section 72103(2) and (3) of Part 721 of the NREPA, the Natural Resources Commission may permit motorized uses on a designated Michigan trailway. But, in section 419 of the Michigan Penal Code, 1931 PA 328, MCL 750.1 *et seq.*, the Legislature has generally prohibited the operation of motor vehicles upon a bicycle path.

A person who operates or rides a motorcycle, moped, or other motor vehicle, *excepting motorized wheelchairs upon a bicycle path* or a sidewalk regularly laid out and constructed for the use of pedestrians, not including a crosswalk or driveway, is guilty of a misdemeanor. [Emphasis added.]

Under this section, a person may not, for example, operate a snowmobile upon a bicycle path. See Letter Opinion of the Attorney General to Patrick Nowak, Director, Michigan Department of Transportation, dated

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<sup>1</sup> See *Hatch v Grand Haven Charter Twp*, *supra*, 461 Mich at 464-466, where the legislative distinction between sidewalks and bicycle paths in several statutes compelled the conclusion that "a bicycle path is simply not a sidewalk."

February 4, 1992. It is, therefore, clear that while motorized uses may be authorized on a railway, such uses on a bicycle path are generally prohibited.

While the Legislature has distinguished between railways and bicycle paths, that distinction does not mean that townships lack authority to regulate bicycle paths. Section 21c of the Charter Township Act authorizes a charter township to regulate a bicycle path. Independent of the authority granted by section 21c, a township may enact ordinances regulating bicycle paths under its general authority to adopt ordinances "for the public peace and health and for safety of persons and property therein." See section 15 of the Charter Township Act and *Renne v Waterford Twp*, 73 Mich App 685, 690-691; 252 NW2d 842 (1977). A charter township that regulates a bicycle path by ordinance need not post its ordinance near the bicycle path.<sup>2</sup>

It is my opinion, therefore, that a township bicycle path is not a recreational railway that can only be regulated by an ordinance that is posted and maintained near each gate or principal entrance to the bicycle path.

JENNIFER M. GRANHOLM  
Attorney General

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<sup>2</sup> A township may, of course, choose to post bicycle path regulations at or near a bicycle path entrance, as a service to the public.

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**ENROLLED SENATE AND HOUSE BILLS  
SIGNED INTO LAW OR VETOED  
(2002 SESSION)**

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*Mich. Const. Art. IV, §33 provides: “Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated.”*

*Mich. Const. Art. IV, §27, further provides: “No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house.”*

*MCL 24.208 states in part:*

*“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:*

\* \* \*

*(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.*

*(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.”*

**ENROLLED SENATE AND HOUSE BILLS  
SIGNED INTO LAW OR VETOED  
(2002 SESSION)**

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
1		472	Yes	1/21	1/23	01/23/02	<b>STATE;</b> Funds; children's trust fund; revise investment options. ( <b>Sen. S. Johnson</b> )
2	5027		Yes	1/21	1/23	01/23/02	<b>HIGHWAYS;</b> Name; renaming certain portion of M-69; designate as "Oscar G. Johnson Memorial Highway." ( <b>Rep. D. Bovin</b> )
3		430	No	2/6	2/7	**	<b>ENVIRONMENTAL PROTECTION;</b> Other; dark sky preserve; repeal sunset. ( <b>Sen. B. Hammerstrom</b> )
4		471	Yes	2/6	2/7	02/07/02	<b>FINANCIAL INSTITUTIONS;</b> Other; licensing of residential mortgage originator; clarify. ( <b>Sen. B. Leland</b> )
5		615	Yes	2/6	2/7	02/07/02	<b>HIGHWAYS;</b> Name; renaming a certain portion of US-127; establish as the "Gary Priess Memorial Highway." ( <b>Sen. V. Garcia</b> )
6	5436		Yes	2/14	2/14	02/14/02	<b>PROPERTY;</b> Conveyances; transfer of certain state owned properties in Tuscola county and Wayne county; provide for. ( <b>Rep. T. Meyer</b> )
7		682	Yes	2/14	2/14	02/14/02	<b>CHILDREN;</b> Support; citation in divorce law; enact change necessitated by 2001 PA 107. ( <b>Sen. B. Hammerstrom</b> )
8		683	Yes	2/14	2/14	02/14/02	<b>CHILDREN;</b> Support; citation in the family support act; enact changes necessitated by 2001 PA 111. ( <b>Sen. B. Hammerstrom</b> )
9		684	Yes	2/14	2/14	02/14/02	<b>CHILDREN;</b> Support; citation in child custody act; enact change necessitated by 2001 PA 108. ( <b>Sen. B. Hammerstrom</b> )
10		434	Yes	2/14	2/14	02/14/02	<b>CHILDREN;</b> Protection; reporting suspected child abuse or neglect; clarify provisions and add categories of mandated reporters. ( <b>Sen. B. Hammerstrom</b> )

\* - I.E. means Legislature voted to give the Act immediate effect.

\*\* - Act takes effect on the 91<sup>st</sup> day after *sine die* adjournment of the Legislature.

\*\*\* - See Act for applicable effective date.

+ - Line item veto

# - Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
11	4195		Yes	2/18	2/19	02/19/02	<b>HEALTH FACILITIES;</b> Nursing homes; individual responsible for receiving complaints and conducting complaint investigations; require nursing home to have such individual available 24 hours per day, 7 days per week. <b>(Rep. B. Patterson)</b>
12	4980		Yes	2/18	2/19	02/19/02	<b>HIGHWAYS;</b> Name; renaming certain portion of I-69; designate as "Purple Heart Highway." <b>(Rep. P. DeWeese)</b>
13	5005		Yes	2/18	2/19	2/19/02	<b>TRANSPORTATION;</b> Other; motor fuels quality; revise standards and penalties. <b>(Rep. L. Julian)</b>
14	5009		Yes	2/18	2/19	2/19/02	<b>CHILDREN;</b> Abuse or neglect; failure to report; increase penalties. <b>(Rep. M. Middaugh)</b>
15	4487		Yes	2/21	2/21	2/21/02	<b>COMMERCIAL CODE;</b> Sales; price of goods for which a writing is required for an enforceable contract; increase minimum to \$1,000.00. <b>(Rep. J. Koetje)</b>
16	4009		Yes	2/27	2/28	2/28/02	<b>AGRICULTURE;</b> Other; low-interest loans for certain agricultural disasters; provide for. <b>(Rep. R. Jelinek)</b>
17	4812		Yes	2/28	3/1	3/1/02	<b>LIENS; Generally;</b> ownership and lien rights of dies, molds, and forms ; revise. <b>(Rep. A. Richner)</b>
18	5382		Yes	2/28	3/1	3/1/2002 #	<b>COMMERCIAL CODE;</b> Secured transactions; reference to molder's lien act in secured transactions; amend uniform commercial code to provide. <b>(Rep. M. Mortimer)</b>
19	5023		Yes	3/4	3/4	03/04/02	<b>COUNTIES;</b> Other; recording requirements of register of deeds; revise. <b>(Rep. A. Sanborn)</b>
20	5024		Yes	3/4	3/4	03/04/02	<b>PROPERTY;</b> Land contracts; contracts for sale of land; eliminate witness requirement. <b>(Rep. A. Sanborn)</b>
21	5025		Yes	3/4	3/4	03/04/02	<b>LAND USE;</b> Land division; signatures on proprietor's certificate on the plat; eliminate witness requirement. <b>(Rep. A. Sanborn)</b>

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
22	5186		Yes	3/4	3/4	03/04/02	<b>COUNTIES</b> ; Employees and officers; requirement for medical examiner to live in county of appointment; eliminate, and repeal acts and parts of acts. ( <b>Rep. G. Van Woerkom</b> )
23	5022		Yes	3/4	3/4	03/04/02	<b>COUNTIES</b> ; Employees and officers; procedure for recording deeds and mortgages; eliminate witness requirement. ( <b>Rep. A. Sanborn</b> )
24		505	No	3/5	3/6	** #	<b>CRIMINAL PROCEDURE</b> ; Sentencing guidelines; sentencing guideline provisions for possession of firearms on commercial airport property; provide for. ( <b>Sen. P. Hoffman</b> )
25		718	Yes	3/5	3/6	03/06/02	<b>WORKER'S COMPENSATION</b> ; Insurers; certain assessments; revise. ( <b>Sen. B. Bullard Jr.</b> )
26		496	Yes	3/5	3/6	03/06/02	<b>INSURANCE</b> ; Insurers; service of process in certain cases; provide for. ( <b>Sen. B. Bullard Jr.</b> )
27	4028		Yes	3/5	3/6	03/06/02	<b>LOCAL GOVERNMENT</b> ; Other; spot blight designation and acquisition; provide for. ( <b>Rep. A. Richner</b> )
28	5389		Yes	3/7	3/7	04/01/02	<b>CRIMINAL PROCEDURE</b> ; Sentencing guidelines; technical amendments; provide for. ( <b>Rep. W. McConico</b> )
29	5390		Yes	3/7	3/7	04/01/02	<b>CRIMINAL PROCEDURE</b> ; Sentencing guidelines; technical amendments; provide for. ( <b>Rep. W. O'Neil</b> )
30	5391		Yes	3/7	3/7	04/01/02	<b>CRIMINAL PROCEDURE</b> ; Sentencing guidelines; technical amendments; provide for. ( <b>Rep. J. Faunce</b> )
31	5392		Yes	3/7	3/7	04/01/02	<b>CRIMINAL PROCEDURE</b> ; Sentencing guidelines; technical amendments; provide for. ( <b>Rep. L. Julian</b> )

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
32		493	Yes	3/7	3/7	03/07/02	<b>INSURANCE</b> ; Other; requirement for commissioner to obtain approval of a circuit court judge before issuing a subpoena in certain cases; eliminate. ( <b>Sen. B. Bullard Jr.</b> )
33	5483		Yes	3/7	3/7	3/7/2002 #	<b>BUSINESSES</b> ; Nonprofit corporations; career development and distance learning; provide for in nonprofit corporation act. ( <b>Rep. J. Gilbert II</b> )
34	5393		Yes	3/7	3/7	***	<b>CRIMINAL PROCEDURE</b> ; Sentencing guidelines; technical amendments; provide for. ( <b>Rep. J. Faunce</b> )
35		541	Yes	3/7	3/7	05/15/02	<b>AERONAUTICS</b> ; Other; general amendments; provide for. ( <b>Sen. W. North</b> )
36	5482		Yes	3/7	3/7	03/07/02	<b>BUSINESSES</b> ; Nonprofit corporations; establishment and operation of registered distance learning corporations; authorize. ( <b>Rep. J. Allen</b> )
37		604	Yes	3/7	3/7	03/07/02	<b>INSURANCE</b> ; Property and casualty; mandatory exams of rating organizations; eliminate. ( <b>Sen. V. Garcia</b> )
38		605	Yes	3/7	3/7	03/07/02	<b>INSURANCE</b> ; No-fault; reference to public service commission certification; revise to the department of transportation. ( <b>Sen. M. Goschka</b> )
39	5139		Yes	3/11	3/12	03/12/02	<b>EDUCATION</b> ; School districts; access to high school campus and certain student directory information for official armed forces recruiting representatives; require. ( <b>Rep. W. Kuipers</b> )
40	4690		Yes	3/11	3/12	03/12/02	<b>STATE</b> ; Interstate compacts and agreements; Michigan participation in the interstate compact for adult offender supervision; establish. ( <b>Rep. C. LaSata</b> )
41	5337		Yes	3/11	3/12	03/12/02	<b>TRANSPORTATION</b> ; Carriers; weight restrictions on certain highways or roads; revise. ( <b>Rep. J. Gilbert II</b> )

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
42	4987		Yes	3/12	3/12	03/12/02	<b>OCCUPATIONS;</b> Real estate; procedure for a deposit held by an escrowee; clarify. ( <b>Rep. M. Bishop</b> )
43		180	Yes	3/13	3/14	03/14/02	<b>CRIMES;</b> Prostitution; qualifying underlying offenses to establish second, third, and subsequent offense violations; amend. ( <b>Sen. B. Schuette</b> )
44	4325		Yes	3/13	3/14	6/1/2002 #	<b>CRIMES;</b> Prostitution; criteria for determining prior prostitution offenses; amend to include consideration of local ordinance violations. ( <b>Rep. C. Bisbee</b> )
45	5449		Yes	3/13	3/14	6/1/2002 #	<b>CRIMES;</b> Prostitution; age limit restricting prosecution for certain prostitution violations; revise, and eliminate requirement of knowledge of age of child for certain other sex-related crimes. ( <b>Rep. J. Gilbert II</b> )
46		1029	Yes	3/13	3/14	6/1/2002 #	<b>CRIMES;</b> Prostitution; age limit for charging certain prostitution violations; revise. ( <b>Sen. T. McCotter</b> )
47	5033		Yes	3/13	3/14	6/1/2002 #	<b>CRIMINAL PROCEDURE;</b> Sentencing guidelines; sentencing guidelines for crime of soliciting child to commit an immoral act; enact. ( <b>Rep. M. Kowall</b> )
48		880	Yes	3/14	3/14	11/1/2002 #	<b>PUBLIC UTILITIES;</b> Other; fee structures for use of public rights-of-way; provide for. ( <b>Sen. J. Schwarz</b> )
49		881	Yes	3/14	3/14	03/14/02	<b>COMMUNICATIONS;</b> Telecommunications; Michigan community communications development authority; create. ( <b>Sen. L. Stille</b> )
50		999	Yes	3/14	3/14	3/14/2002 #	<b>PROPERTY TAX;</b> Other; credit for the purchase and installation of certain telecommunications equipment; provide for. ( <b>Sen. V. Garcia</b> )

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
51	4672		Yes	3/12	3/15	03/15/02	<b>EDUCATION</b> ; Other; model local policy concerning the administration of medications to students at school; provide for. ( <b>Rep. J. Hansen</b> )
52		796	Yes	3/12	3/15	*** #	<b>NATURAL RESOURCES</b> ; Trust funds; natural resources trust fund; provide for expanded investment authority. ( <b>Sen. G. McManus Jr.</b> )
53		797	Yes	3/12	3/15	*** #	<b>VETERANS</b> ; Trust fund; investment authority; expand. ( <b>Sen. V. Garcia</b> )
54		798	Yes	3/12	3/15	*** #	<b>NATURAL RESOURCES</b> ; Trust funds; state parks endowment fund; provide for expanded investment authority. ( <b>Sen. C. Dingell</b> )
55		799	Yes	3/12	3/15	*** #	<b>NATURAL RESOURCES</b> ; Trust funds; nongame fish and wildlife trust fund; expand investment authority. ( <b>Sen. A. Smith</b> )
56		800	Yes	3/12	3/15	*** #	<b>NATURAL RESOURCES</b> ; Trust funds; game and fish protection trust fund; expand investment authority. ( <b>Sen. L. Bennett</b> )
57		801	Yes	3/12	3/15	*** #	<b>NATURAL RESOURCES</b> ; Trust funds; Michigan civilian conservation corps endowment fund; expand investment authority. ( <b>Sen. D. Koivisto</b> )
58	5404		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the revised school code; modify. ( <b>Rep. J. Allen</b> )
59	5405		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of school districts to pay for loans from state; modify. ( <b>Rep. M. Bishop</b> )
60	5406		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority for emergency loans for school districts; repeal. ( <b>Rep. L. DeVuyst</b> )
61	5407		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the revised school code; modify. ( <b>Rep. J. Gilbert II</b> )

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
62	5408		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the revised school code; modify. ( <b>Rep. J. Howell</b> )
63	5409		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the revised school code; modify. ( <b>Rep. J. Koetje</b> )
64	5410		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the revised school code; modify. ( <b>Rep. M. Middaugh</b> )
65	5414		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the revised school code; modify. ( <b>Rep. S. Thomas III</b> )
66	5412		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the revised school code; modify. ( <b>Rep. G. Van Woerkom</b> )
67	5413		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the revised school code; modify. ( <b>Rep. S. Vear</b> )
68	5416		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the revised school code; modify. ( <b>Rep. L. Lemmons III</b> )
69	5417		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the revised school code; modify. ( <b>Rep. A. Lipsey</b> )
70	5418		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the revised school code; modify. ( <b>Rep. J. Rivet</b> )
71	5419		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the school aid act; modify. ( <b>Rep. M. Waters</b> )
72	5420		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of community colleges; modify. ( <b>Rep. P. Zelenko</b> )
73	5423		Yes	3/14	3/15	03/15/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of community colleges; modify. ( <b>Rep. M. Pumford</b> )

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
74		592	Yes	3/14	3/15	03/15/02	<b>INSURANCE;</b> Third party administrators; requirement that third party administrators have administrative service manager; eliminate. ( <b>Sen. B. Bullard Jr.</b> )
75		692	Yes	3/14	3/15	03/15/02	<b>LAND USE;</b> Farmland and open space; agricultural conservation easement or purchase of development rights; provide that entry into automatically terminates development rights agreement without lien and entitles landowner to tax credit and revise circumstances for relinquishment of farmland from development rights agreement. ( <b>Sen. B. Hammerstrom</b> )
76	5119		Yes	3/14	3/15	03/15/02	<b>LIQUOR;</b> Licenses; small distillery license fee; decrease. ( <b>Rep. S. Rocca</b> )
77	5585		Yes	3/21	3/21	03/21/02	<b>CIVIL PROCEDURE;</b> Civil actions; interest on judgment on a written instrument evidencing indebtedness that bears an interest rate; revise to make application of recent change prospective and provide mechanism for fixing rate when instrument bears a variable interest rate. ( <b>Rep. A. Richner</b> )
78	5205		Yes	3/25	3/25	03/25/02	<b>TRANSPORTATION;</b> Carriers; number of axles allowed on certain designated highways; clarify. ( <b>Rep. J. Gilbert II</b> )
79	4859		Yes	3/25	3/25	03/25/02	<b>CORRECTIONS;</b> Employees; record of controlled substance offenses that were subject to dismissal and discharge; allow to be used by department of corrections or law enforcement agencies for specified purposes. ( <b>Rep. L. Julian</b> )
80	5434		No	3/25	3/25	**	<b>TRADE;</b> Other; grain dealers act; provide general amendments. ( <b>Rep. T. Meyer</b> )
81	4860		Yes	3/25	3/25	03/25/02	<b>NATURAL RESOURCES;</b> Hunting; requirement for lottery to issue wild turkey hunting license; eliminate. ( <b>Rep. M. Mortimer</b> )

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
82	5026		Yes	3/25	3/26	03/26/02	<b>WEAPONS;</b> Firearms; transportation requirements for certain firearms ; clarify. <b>(Rep. S. Vear)</b>
83		884	Yes	3/25	3/26	03/26/02	<b>LEGISLATURE;</b> Auditor general; reference to auditor general in vocational education acts; eliminate. <b>(Sen. T. McCotter)</b>
84		885	Yes	3/25	3/26	03/26/02	<b>LEGISLATURE;</b> Auditor general; reference to auditor general in social welfare act; eliminate. <b>(Sen. T. McCotter)</b>
85		886	Yes	3/25	3/26	03/26/02	<b>LEGISLATURE;</b> Auditor general; reference to auditor general regarding commitment to certain institutions; eliminate. <b>(Sen. T. McCotter)</b>
86		888	Yes	3/25	3/26	03/26/02	<b>LEGISLATURE;</b> Auditor general; reference to auditor general regarding certain auction duties; eliminate. <b>(Sen. T. McCotter)</b>
87		890	Yes	3/25	3/26	03/26/02	<b>LEGISLATURE;</b> Auditor general; act regarding Michigan dairymen's association; repeal. <b>(Sen. T. McCotter)</b>
88		894	Yes	3/25	3/26	03/26/02	<b>LEGISLATURE;</b> Auditor general; reference to auditor general in the code of criminal procedure; eliminate. <b>(Sen. T. McCotter)</b>
89		895	Yes	3/25	3/26	03/26/02	<b>LEGISLATURE;</b> Auditor general; reference to auditor general in the prison code; eliminate. <b>(Sen. T. McCotter)</b>
90		690	Yes	3/26	3/26	03/26/02	<b>STATE;</b> Authorities; authority to oversee the operation of certain types of airports including Detroit metropolitan Wayne county airport; create. <b>(Sen. G. Steil)</b>
91	5216		Yes	3/26	3/27	4/9/2002 #	<b>ELECTIONS;</b> Voting equipment; uniform statewide voting system; provide for under certain conditions. <b>(Rep. B. Patterson)</b>
92	5674		No	3/27	3/27	**	<b>COURTS;</b> Circuit court; certain judicial circuits and judicial districts; reform, and allow the office of district judge and probate judge to be combined in certain counties. <b>(Rep. K. Bradstreet)</b>

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93	5732		Yes	3/27	3/27	3/27/2002 #	<b>RETIREMENT</b> ; State employees; early retirement for certain state employees; allow under certain circumstances. ( <b>Rep. P. DeWeese</b> )
94	5110		Yes	3/27	3/27	3/27/2002 #	<b>RETIREMENT</b> ; Public school employees; public pension protection and health advance funding; provide for. ( <b>Rep. S. Caul</b> )
95	5112		Yes	3/27	3/27	3/27/2002 #	<b>RETIREMENT</b> ; Judges; public pension protection; provide for. ( <b>Rep. A. Lipsey</b> )
96	5113		Yes	3/27	3/27	3/27/2002 #	<b>RETIREMENT</b> ; State police; public pension protection; provide for. ( <b>Rep. C. Brown</b> )
97	5114		Yes	3/27	3/27	3/27/2002 #	<b>RETIREMENT</b> ; Legislative; public pension protection; provide for. ( <b>Rep. S. Thomas III</b> )
98	5111		Yes	3/27	3/27	3/27/2002 #	<b>RETIREMENT</b> ; Fire and police; public pension protection; provide for. ( <b>Rep. J. Howell</b> )
99	5109		Yes	3/27	3/27	3/27/2002 #	<b>RETIREMENT</b> ; State employees; public pension protection; provide for. ( <b>Rep. J. Voorhees</b> )
100	5108		Yes	3/27	3/27	3/27/2002 #	<b>RETIREMENT</b> ; Generally; public pension protection act; enact. ( <b>Rep. J. Vander Roest</b> )
101	5125		Yes	3/27	3/27	07/01/02	<b>CRIMES</b> ; Larceny; manufacture, distribution, or possession of a theft detection shielding device or of a tool designed to deactivate or remove a theft detection device; prohibit and provide penalties. ( <b>Rep. M. Bishop</b> )
102	5126		Yes	3/27	3/27	7/1/2002 #	<b>CRIMINAL PROCEDURE</b> ; Sentencing guidelines; sentencing guidelines for a theft detection device offense; enact. ( <b>Rep. M. Bishop</b> )
103		887	Yes	3/27	3/27	03/27/02	<b>LEGISLATURE</b> ; Auditor general; reference to auditor general regarding compensation of injured peace officers; eliminate. ( <b>Sen. T. McCotter</b> )
104		889	Yes	3/27	3/27	03/27/02	<b>LEGISLATURE</b> ; Auditor general; reference to auditor general regarding protective committees; eliminate. ( <b>Sen. T. McCotter</b> )

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+ - Line item veto

# - Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
105		892	Yes	3/27	3/27	03/27/02	<b>LEGISLATURE</b> ; Auditor general; reference to auditor general in the insurance code of 1956; eliminate. ( <b>Sen. T. McCotter</b> )
106		896	Yes	3/27	3/27	03/27/02	<b>LEGISLATURE</b> ; Auditor general; reference to auditor general in university funds; eliminate. ( <b>Sen. T. McCotter</b> )
107	5145		Yes	3/27	3/27	03/27/02	<b>NATURAL RESOURCES</b> ; Other; conservation district annual meeting; allow for change of date. ( <b>Rep. D. Mead</b> )
108	4937		Yes	3/27	3/27	03/27/02	<b>NATURAL RESOURCES</b> ; Fishing; minimum age for voluntary all-species fishing license; eliminate. ( <b>Rep. S. Tabor</b> )
109		543	Yes	3/27	3/27	07/01/02	<b>LIENS</b> ; Garage keepers; garage keeper's lien act; clarify certain procedures. ( <b>Sen. L. Bennett</b> )
110		678	Yes	3/27	3/27	03/27/02	<b>USE TAX</b> ; Collections; motor vehicles held for resale; define price tax base. ( <b>Sen. B. Bullard Jr.</b> )
111	5327		Yes	4/1	4/1	04/01/02	<b>EDUCATION</b> ; Curricula; model financial literacy programs; provide for. ( <b>Rep. M. Bishop</b> )
112		730	Yes	3/29	4/1	04/22/02	<b>CRIMINAL PROCEDURE</b> ; Search and seizure; search warrant affidavits; revise procedures. ( <b>Sen. S. Johnson</b> )
113		930	Yes	3/29	4/1	4/22/2002 #	<b>CRIMES</b> ; Other; certain acts relating to terrorism; prohibit and provide penalties. ( <b>Sen. D. DeGrow</b> )
114		936	Yes	3/29	4/1	5/1/2002 #	<b>CRIMINAL PROCEDURE</b> ; Grand jury; certain grand jury information regarding terrorism-related offenses; clarify information sharing procedures. ( <b>Sen. B. Bullard Jr.</b> )
115		939	Yes	3/29	4/1	4/22/2002 #	<b>CRIMES</b> ; Other; crime of obtaining certain diagrams or descriptions of vulnerable targets with the intent to commit a terrorist act; create. ( <b>Sen. J. Schwarz</b> )

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116		940	Yes	3/29	4/1	4/22/2002 #	<b>CRIMES;</b> Definitions; definition of vulnerable target in explosives chapter of penal code; expand to include stadiums, critical transportation infrastructures, and public services providers. ( <b>Sen. W. North</b> )
117		942	Yes	3/29	4/1	4/22/2002 #	<b>CRIMES;</b> Other; use of the internet or other electronic or telecommunication system or device to disrupt critical infrastructures or governmental operations; provide penalties. ( <b>Sen. B. Hammerstrom</b> )
118		943	Yes	3/29	4/1	05/01/02	<b>TRANSPORTATION;</b> Carriers; penalties for the transportation of hazardous materials without a hazardous materials endorsement; increase. ( <b>Sen. K. Sikkema</b> )
119		948	Yes	3/29	4/1	4/22/2002 #	<b>CRIMINAL PROCEDURE;</b> Statute of limitations; statute of limitations for certain crimes involving terrorism; eliminate. ( <b>Sen. M. Goschka</b> )
120		949	Yes	3/29	4/1	4/22/2002 #	<b>CRIMINAL PROCEDURE;</b> Sentencing; restitution to all governmental entities for terrorist activities; require. ( <b>Sen. L. Bennett</b> )
121		994	Yes	3/29	4/1	04/01/02	<b>MILITARY AFFAIRS;</b> Other; military leaves and reemployment protection for members of the military who have been called to active service; clarify. ( <b>Sen. A. Miller Jr.</b> )
122		995	Yes	3/29	4/1	4/22/2002 #	<b>CRIMINAL PROCEDURE;</b> Sentencing guidelines; certain crimes involving terrorism; include in sentencing guidelines. ( <b>Sen. D. Koivisto</b> )
123		996	Yes	3/29	4/1	4/22/2002 #	<b>CRIMINAL PROCEDURE;</b> Sentencing guidelines; sentencing guidelines for crime of certain threats and false reports relating to terrorism; enact. ( <b>Sen. D. Byrum</b> )
124		997	Yes	3/29	4/1	4/22/2002 #	<b>CRIMES;</b> Other; terrorism; include as predicate offense for racketeering violation. ( <b>Sen. B. Leland</b> )

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125		1005	Yes	3/29	4/1	04/01/02	<b>HEALTH FACILITIES;</b> Hospitals; biohazard detection and handling plan; require each hospital to establish. ( <b>Sen. M. Scott</b> )
126	4037		Yes	3/29	4/1	04/22/02	<b>TRAFFIC CONTROL;</b> Driver license; penalties for an individual who reproduces, alters, counterfeits, forges, or duplicates a license photograph; increase. ( <b>Rep. J. Faunce</b> )
127	5041		Yes	3/29	4/1	4/22/2002 #	<b>TRAFFIC CONTROL;</b> Driver license; sentencing guidelines for crimes relating to forging driver licenses; enact. ( <b>Rep. J. Kooiman</b> )
128	5270		Yes	3/29	4/1	04/22/02	<b>CRIMINAL PROCEDURE;</b> Search and seizure; search warrant affidavits; declare to be nonpublic information. ( <b>Rep. S. Caul</b> )
129	5295		Yes	3/29	4/1	04/22/02	<b>CRIMINAL PROCEDURE;</b> Jurisdiction; jurisdiction for prosecution of criminal offense; clarify. ( <b>Rep. G. DeRossett</b> )
130	5349		Yes	3/29	4/1	05/01/02	<b>CIVIL RIGHTS;</b> Public records; critical infrastructure; exempt from freedom of information act. ( <b>Rep. M. Shulman</b> )
131	5495		Yes	3/29	4/1	4/22/2002 #	<b>CRIMES;</b> Other; certain acts relating to terrorism; prohibit and provide penalties. ( <b>Rep. J. Howell</b> )
132	5496		Yes	3/29	4/1	05/01/02	<b>STATE;</b> Planning; Michigan emergency management act; revise powers and duties. ( <b>Rep. G. Newell</b> )
133	5501		Yes	3/29	4/1	05/01/02	<b>MILITARY AFFAIRS;</b> Other; procedure for granting immunity to certain military personnel ordered to respond to acts or threats of terrorism, procedure for apprehending individuals, access restrictions to real property used for military purposes, and plans for defense of state; authorize and clarify. ( <b>Rep. R. Richardville</b> )

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134	5506		Yes	3/29	4/1	04/22/02	<b>CRIMES</b> ; Other; crime of using, delivering, or possessing an imitation explosive; include possession as violation. <b>(Rep. C. Phillips)</b>
135	5507		Yes	3/29	4/1	04/22/02	<b>CRIMES</b> ; Other; penalties for knowingly placing a harmful substance in food or water supply; increase. <b>(Rep. G. Woronchak)</b>
136	5509		Yes	3/29	4/1	4/22/2002 #	<b>CRIMES</b> ; Money laundering; terrorism; include in definition of “specified criminal offense”. <b>(Rep. N. Quarles)</b>
137		946	Yes	4/1	4/1	4/22/2002 #	<b>CRIMINAL PROCEDURE</b> ; Sentencing guidelines; certain crimes involving terrorism; include in sentencing guidelines. <b>(Sen. W. Van Regenmorter)</b>
138		468	Yes	4/1	4/1	04/01/02	<b>PROPERTY</b> ; Conveyances; certain parcels of state owned property in Genesee, Wayne, and Kalkaska counties; provide for conveyance. <b>(Sen. J. Cherry Jr.)</b>
139		899	Yes	4/1	4/1	04/01/02	<b>LEGISLATURE</b> ; Auditor general; reference to auditor general for federal roads; eliminate. <b>(Sen. T. McCotter)</b>
140	5511		Yes	4/1	4/1	4/22/2002 #	<b>CRIMES</b> ; Definitions; definition of vulnerable target in explosives chapter of penal code; expand to include certain other structures and facilities. <b>(Rep. L. Toy)</b>
141	5512		Yes	4/1	4/1	4/22/2002 #	<b>CRIMINAL PROCEDURE</b> ; Other; compensation to victims and payment of expenses for government response for terrorism-related offenses; provide for. <b>(Rep. G. Jacobs)</b>
142	5513		Yes	4/1	4/1	05/01/02	<b>CRIMINAL PROCEDURE</b> ; Forfeiture; seizure and forfeiture of property used in connection with a terrorism-related offense; provide for. <b>(Rep. C. LaSata)</b>

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143	5520		Yes	4/1	4/1	4/22/2002 #	<b>CRIMINAL PROCEDURE;</b> Sentencing guidelines; certain crimes involving terrorism; include in sentencing guidelines. <b>(Rep. D. Bovin)</b>
144		1105	Yes	4/1	4/1	4/1/2002 +	<b>APPROPRIATIONS;</b> Higher education; higher education; provide for fiscal year 2002-2003. <b>(Sen. J. Schwarz)</b>
145		902	Yes	4/1	4/2	04/02/02	<b>LEGISLATURE;</b> Auditor general; reference to auditor general in hospitals and sanatoria; eliminate. <b>(Sen. T. McCotter)</b>
146	5400		Yes	4/1	4/2	04/02/02	<b>INSURANCE;</b> Life; ability to provide excess loss insurance; provide for. <b>(Rep. L. Julian)</b>
147	5328		Yes	4/1	4/2	04/02/02	<b>PROPERTY;</b> Land contracts; definition of “real estate mortgage”; clarify. <b>(Rep. M. Bishop)</b>
148	5118		Yes	Unsigned	4/5	04/05/02	<b>NATURAL RESOURCES;</b> Gas and oil; slant drilling beneath Great Lakes; prohibit except for existing leases. <b>(Rep. S. Shackleton)</b>
149	5021		Yes	4/8	4/8	07/01/02	<b>TRAFFIC CONTROL;</b> Speed restrictions; penalties for violation of speed limit in construction zone; increase number of points added to driving record. <b>(Rep. J. Allen)</b>
150		811	Yes	4/8	4/8	04/08/02	<b>TRANSPORTATION;</b> Other; use of rights-of-way, structures, welcome centers, and rest stops for commercial intelligent transportation system applications; allow. <b>(Sen. B. Bullard Jr.)</b>
151		812	Yes	4/8	4/8	04/08/02	<b>TRANSPORTATION;</b> Other; use of rights-of-way, structures, welcome centers, and rest stops for commercial intelligent transportation system applications; allow. <b>(Sen. B. Bullard Jr.)</b>
152	5422		Yes	4/8	4/8	04/08/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of community colleges; modify. <b>(Rep. T. Meyer)</b>

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153		897	Yes	4/8	4/8	04/08/02	<b>LEGISLATURE;</b> Auditor general; reference to auditor general regarding veterans' trust funds; eliminate. ( <b>Sen. T. McCotter</b> )
154		898	Yes	4/8	4/8	04/08/02	<b>LEGISLATURE;</b> Auditor general; reference to auditor general in state board of equalization; eliminate. ( <b>Sen. T. McCotter</b> )
155		900	Yes	4/8	4/8	04/08/02	<b>AGRICULTURE;</b> Other; act to reimburse for pest eradication; repeal. ( <b>Sen. T. McCotter</b> )
156		901	Yes	4/8	4/8	04/08/02	<b>LEGISLATURE;</b> Auditor general; reference to auditor general for agricultural college lands; eliminate. ( <b>Sen. T. McCotter</b> )
157		385	Yes	4/8	4/8	01/01/03	<b>EDUCATION;</b> Board members; requirements for nomination as a candidate for office of school board; revise. ( <b>Sen. K. Sikkema</b> )
158		386	Yes	4/8	4/8	01/01/03	<b>ELECTIONS;</b> Candidates; requirements for nomination as a candidate for county commissioner; revise. ( <b>Sen. T. McCotter</b> )
159		387	Yes	4/8	4/8	01/01/03	<b>LIBRARIES;</b> District; requirements for nomination as a candidate for district library board; revise. ( <b>Sen. B. Hammerstrom</b> )
160		388	Yes	4/8	4/8	01/01/03	<b>LIBRARIES;</b> Other; requirements for nomination as a candidate for office of library board; revise. ( <b>Sen. B. Hammerstrom</b> )
161		1100	Yes	4/8	4/8	04/08/02	<b>APPROPRIATIONS;</b> Community colleges; community and junior colleges; provide for fiscal year 2002-2003. ( <b>Sen. H. Gast</b> )
162		397	Yes	4/8	4/8	04/08/02	<b>STATE;</b> Symbol; mastodon; establish as state fossil. ( <b>Sen. T. McCotter</b> )
163	5335		Yes	4/9	4/9	04/09/02	<b>ELECTIONS;</b> Ballots; provisions regulating names and designations on ballots; revise and clarify. ( <b>Rep. A. Richner</b> )
164		346	Yes	4/10	4/11	04/11/02	<b>TORTS;</b> Liability; definition of wrongful or negligent act against a pregnant individual; expand to include the death of the embryo or fetus. ( <b>Sen. W. Van Regenmorter</b> )

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165		971	Yes	4/10	4/11	04/11/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the property tax act; modify. ( <b>Sen. S. Johnson</b> )
166		973	Yes	4/10	4/11	04/11/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the property tax act; modify. ( <b>Sen. D. Byrum</b> )
167		903	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE</b> ; Auditor general; reference to auditor general regarding certain universities; eliminate. ( <b>Sen. T. McCotter</b> )
168		904	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE</b> ; Auditor general; reference to duties of the auditor general for certain forest roads; eliminate. ( <b>Sen. T. McCotter</b> )
169		905	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE</b> ; Auditor general; reference to duties of the auditor general regarding certain education funds; eliminate. ( <b>Sen. T. McCotter</b> )
170		906	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE</b> ; Auditor general; reference to duties of the auditor general in Michigan agricultural college act; eliminate. ( <b>Sen. T. McCotter</b> )
171		907	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE</b> ; Auditor general; reference to duties of the auditor general in sanatoriums act; eliminate. ( <b>Sen. T. McCotter</b> )
172		908	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE</b> ; Auditor general; reference to duties of the auditor general in military bonus bonds act; eliminate. ( <b>Sen. T. McCotter</b> )
173		909	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE</b> ; Auditor general; reference to duties of the auditor general in veterans' military pay act; eliminate. ( <b>Sen. T. McCotter</b> )
174		910	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE</b> ; Auditor general; reference to duties of the auditor general in Korean veterans' pay act; eliminate. ( <b>Sen. T. McCotter</b> )

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175		911	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE;</b> Auditor general; reference to duties of the auditor general in insect and pests act; eliminate. <b>(Sen. T. McCotter)</b>
176		912	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE;</b> Auditor general; reference to duties of the auditor general regarding bonds for certain state officers; eliminate. <b>(Sen. T. McCotter)</b>
177		913	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE;</b> Auditor general; reference to duties of the auditor general in certain state lands; eliminate. <b>(Sen. T. McCotter)</b>
178		915	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE;</b> Auditor general; reference to duties of the auditor general regarding certain school taxes; eliminate. <b>(Sen. T. McCotter)</b>
179		916	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE;</b> Auditor general; reference to duties of the auditor general regarding certain state land; eliminate. <b>(Sen. T. McCotter)</b>
180		918	Yes	4/23	4/23	04/23/02	<b>LEGISLATURE;</b> Auditor general; reference to duties of the auditor general for certain tax payments; eliminate. <b>(Sen. T. McCotter)</b>
181	5415		Yes	4/23	4/23	04/23/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of the revised school code; modify. <b>(Rep. C. Kolb)</b>
182	5421		Yes	4/23	4/23	04/23/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of community colleges; modify. <b>(Rep. W. Kuipers)</b>
183	5516		Yes	4/23	4/24	05/01/02	<b>FINANCIAL INSTITUTIONS;</b> Banks; financial institution to seize funds of terrorist organizations; require. <b>(Rep. D. Sheltrown)</b>
184	5517		Yes	4/23	4/24	5/1/02	<b>FINANCIAL INSTITUTIONS;</b> Credit unions; financial institution to seize funds of terrorist organizations; require. <b>(Rep. M. Waters)</b>
185	5518		Yes	4/23	4/24	5/1/02	<b>FINANCIAL INSTITUTIONS;</b> Savings and loan associations; financial institution to seize funds of terrorist organizations; require. <b>(Rep. W. McConico)</b>

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186		829	Yes	4/23	4/24	4/24/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority relating to the management of state funds; modify. ( <b>Sen. V. Garcia</b> )
187		830	Yes	4/23	4/24	4/24/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of the executive organization act of 1965; repeal. ( <b>Sen. B. Leland</b> )
188		831	Yes	4/23	4/24	4/24/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of the department of management and budget; modify. ( <b>Sen. V. Garcia</b> )
189		832	Yes	4/23	4/24	4/24/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority for city exhibition areas; modify. ( <b>Sen. A. Smith</b> )
190		835	Yes	4/23	4/24	04/24/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of tax increment finance authorities; modify. ( <b>Sen. V. Garcia</b> )
191		1107	Yes	4/25	4/26	04/26/02	<b>APPROPRIATIONS;</b> School aid; school aid; adjust for fiscal year 2001-2002 and provide for fiscal year 2002-2003. ( <b>Sen. L. Stille</b> )
192	5763		Yes	4/26	4/26	04/26/02	<b>EMPLOYMENT SECURITY;</b> Benefits; unemployment benefits; increase, revise calculation and payment, and include Indian tribes. ( <b>Rep. R. Richardville</b> )
193		966	Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority for municipal borrowing; modify. ( <b>Sen. G. Peters</b> )
194		967	Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority for borrowing for road purposes; modify. ( <b>Sen. V. Garcia</b> )
195		968	Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority for bonds or notes for capital improvements; modify. ( <b>Sen. R. Emerson</b> )
196		969	Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of an employee-owned corporation revolving loan fund; repeal. ( <b>Sen. D. Byrum</b> )
197		970	Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of the property tax act; modify. ( <b>Sen. B. Bullard Jr.</b> )

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198		972	Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of the property tax act; modify. ( <b>Sen. S. Johnson</b> )
199		974	Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of county improvement act; modify. ( <b>Sen. K. DeBeaussaert</b> )
200		975	Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of county and regional parks; modify. ( <b>Sen. A. Sanborn</b> )
201		976	Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of home rule cities; modify. ( <b>Sen. S. Johnson</b> )
202		978	Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of blighted area rehabilitation; modify. ( <b>Sen. B. Leland</b> )
203		979	Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of county zoning act; modify. ( <b>Sen. T. McCotter</b> )
204		980	Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of township zoning act; modify. ( <b>Sen. T. McCotter</b> )
205	5182		Yes	4/26	4/29	04/29/02	<b>OCCUPATIONS</b> ; Electricians; installation, maintenance, or servicing of certain lawn irrigation equipment and landscape lighting; exempt from license requirements. ( <b>Rep. W. Kuipers</b> )
206	5576		Yes	4/26	4/29	05/01/02	<b>CRIMINAL PROCEDURE</b> ; Sentencing guidelines; technical amendments; provide for. ( <b>Rep. J. Faunce</b> )
207	5480		Yes	4/26	4/29	04/29/02	<b>FOOD</b> ; Other; protection of halal food; provide penalties for consumer fraud. ( <b>Rep. G. Woronchak</b> )
208	5525		Yes	4/26	4/29	04/29/02	<b>AGRICULTURE</b> ; Weights and measures; voluntary registration of certain persons; provide for and update standards. ( <b>Rep. G. Van Woerkom</b> )
209	5136		Yes	4/26	4/29	04/29/02	<b>AGRICULTURE</b> ; Plants; destruction of certain crops grown for certain purposes; provide civil damages. ( <b>Rep. T. Meyer</b> )

\* - I.E. means Legislature voted to give the Act immediate effect.

\*\* - Act takes effect on the 91<sup>st</sup> day after *sine die* adjournment of the Legislature.

\*\*\* - See Act for applicable effective date.

+ - Line item veto

# - Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
210		1032	Yes	4/26	4/29	04/29/02	<b>CRIMES</b> ; Other; provision relating to taunting of an individual as having been a convict or an inmate in a correctional facility or jail; repeal. ( <b>Sen. T. McCotter</b> )
211		1027	Yes	4/26	4/29	04/29/02	<b>ADVERTISING</b> ; Other; provision relating to sale and distribution of publications reporting certain criminal activity; repeal. ( <b>Sen. T. McCotter</b> )
212	5102		Yes	4/26	4/29	04/29/02	<b>CORRECTIONS</b> ; Other; short title for department of corrections act; provide for. ( <b>Rep. J. Faunce</b> )
213	5623		Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of natural resources and environmental protection act; modify. ( <b>Rep. S. Tabor</b> )
214	5625		Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of natural resources and environmental protection act; modify. ( <b>Rep. G. DeRossett</b> )
215	5626		Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of natural resources and environmental protection act; modify. ( <b>Rep. S. Ehardt</b> )
216	5627		Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of natural resources and environmental protection act; modify. ( <b>Rep. D. Mead</b> )
217	5628		Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of natural resources and environmental protection act; modify. ( <b>Rep. S. Hummel</b> )
218	5629		Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of natural resources and environmental protection act; modify. ( <b>Rep. M. Murphy</b> )
219	5630		Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT</b> ; Bonds; bonding authority of natural resources and environmental protection act; modify. ( <b>Rep. W. McConico</b> )

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
220	5631		Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of natural resources and environmental protection act; modify. ( <b>Rep. M. Waters</b> )
221	5632		Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of natural resources and environmental protection act; modify. ( <b>Rep. D. Hale</b> )
222	5633		Yes	4/26	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of natural resources and environmental protection act; modify. ( <b>Rep. S. Pestka</b> )
223		842	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; Michigan tax lien sale and collateralized securities act; repeal. ( <b>Sen. B. Hammerstrom</b> )
224		843	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority under the revised judiciary act; modify. ( <b>Sen. W. Van Regenmorter</b> )
225		844	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of federal facility development act, the federal data facility act, and corresponding income tax credit; repeal. ( <b>Sen. J. Schwarz</b> )
226		845	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of townships; modify. ( <b>Sen. W. Van Regenmorter</b> )
227		847	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority for township water supply and sewage disposal services and facilities; modify. ( <b>Sen. B. Bullard Jr.</b> )
228		849	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority for township parks and places of recreation; modify. ( <b>Sen. B. Bullard Jr.</b> )
229		850	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority for public improvements; modify. ( <b>Sen. S. Johnson</b> )

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
230		851	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of charter townships; modify. ( <b>Sen. T. McCotter</b> )
231		855	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of fourth class cities; modify. ( <b>Sen. W. North</b> )
232		857	Yes	27-Apr	29-Apr	4/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of a community swimming pool authority; modify. ( <b>Sen. W. Van Regenmorter</b> )
233		858	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of recreational authorities; modify. ( <b>Sen. S. Johnson</b> )
234		860	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of downtown development authorities; modify. ( <b>Sen. B. Bullard Jr.</b> )
235		861	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority under local development financing act; modify. ( <b>Sen. D. Shugars</b> )
236		862	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority under resort district rehabilitation act; modify. ( <b>Sen. B. Hammerstrom</b> )
237		864	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority for state convention facility development; modify. ( <b>Sen. M. Scott</b> )
238		865	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of county departments of solid waste management; modify. ( <b>Sen. G. Peters</b> )
239		866	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority for garbage disposal plants; modify. ( <b>Sen. J. Young Jr.</b> )

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
240		867	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority for city and village garbage disposal; modify. ( <b>Sen. J. Young Jr.</b> )
241		868	Yes	4/27	4/29	04/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of municipal sewage and water supply systems; modify. ( <b>Sen. K. DeBeaussaert</b> )
242		869	Yes	4/27	4/29	4/29/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority under land reclamation and improvement authority act; modify. ( <b>Sen. M. Dunaskiss</b> )
243		1166	Yes	4/30	4/30	4/30/02	<b>PROPERTY TAX;</b> State education tax; summer levy; require. ( <b>Sen. H. Gast</b> )
244		1165	Yes	4/30	4/30	4/30/02	<b>PROPERTY TAX;</b> Millage; 1-time collection of a summer tax levy; provide for and amend title. ( <b>Sen. J. Schwarz</b> )
245	5298		Yes	4/30	4/30	5/1/02	<b>CRIMINAL PROCEDURE;</b> Mental capacity; "guilty but mentally ill" provisions; revise to conform with insanity statute. ( <b>Rep. J. Koetje</b> )
246	5411		Yes	4/30	4/30	5/1/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of the revised school code; modify. ( <b>Rep. M. Mortimer</b> )
247		1007	Yes	4/30	4/30	5/1/02	<b>FINANCIAL INSTITUTIONS;</b> Savings banks; financial institution to seize funds of terrorist organizations and report to attorney general; require. ( <b>Sen. G. Peters</b> )
248	5624		Yes	4/30	4/30	04/30/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of natural resources and environmental protection act; modify. ( <b>Rep. L. Julian</b> )
249	5634		Yes	4/30	4/30	04/30/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of natural resources and environmental protection act; modify. ( <b>Rep. I. Clark</b> )
250		839	Yes	5/1	5/1	05/01/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of uniform budgeting and accounting act; modify. ( <b>Sen. H. Gast</b> )

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
251		882	Yes	5/1	5/1	05/01/02	<b>INSURANCE;</b> No-fault; automobile insurance placement facility to provide for premium surcharges for various infractions; allow. ( <b>Sen. A. Sanborn</b> )
252		1026	Yes	5/1	5/1	05/01/02	<b>TRANSPORTATION;</b> Carriers; requirement for vehicles transporting gasoline, benzine, or naphtha to be painted red; eliminate. ( <b>Sen. T. McCotter</b> )
253		1057	Yes	5/1	5/1	05/01/02	<b>HIGHWAYS;</b> Construction and repair; widening and altering of state trunk line highways with approval of state administrative board; repeal certain section. ( <b>Sen. T. McCotter</b> )
254	5472		Yes	5/1	5/1	05/01/02	<b>ECONOMIC DEVELOPMENT;</b> Brownfield redevelopment authority; specific taxes; include neighborhood enterprise zone act. ( <b>Rep. J. Allen</b> )
255	4507		Yes	5/1	5/1	05/01/02	<b>SALES TAX;</b> Exemptions; exemption from paying sales tax on certain items; clarify procedure. ( <b>Rep. L. DeVuyst</b> )
256		837	Yes	5/1	5/1	05/01/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of local governmental units to accept financial transaction device payments; modify. ( <b>Sen. R. Emerson</b> )
257		838	Yes	5/1	5/1	05/01/02	<b>LOCAL GOVERNMENT;</b> Bonds; bonding authority of local units authorizing and regulating credit card transactions; modify. ( <b>Sen. V. Garcia</b> )
258		1006	Yes	5/1	5/1	*** #	<b>AERONAUTICS;</b> Other; criminal background checks on applicants for flight schools; require and provide for refusal to enroll under certain circumstances. ( <b>Sen. G. Hart</b> )

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
259	5504		Yes	5/1	5/1	05/01/02	<b>TRAFFIC CONTROL;</b> Driver license; criminal background checks on applicants for commercial driver license; require. ( <b>Rep. R. Brown</b> )
260		1034	Yes	5/1	5/1	05/01/02	<b>CRIMES;</b> Other; criminal provision relating to inciting an individual to violate a peace treaty with an Indian native or tribe; repeal. ( <b>Sen. T. McCotter</b> )
261		1035	Yes	5/1	5/1	5/1/2002 #	<b>CRIMINAL PROCEDURE;</b> Sentencing guidelines; sentencing guidelines for crime of inciting an individual to violate a peace treaty with an Indian native or tribe; eliminate. ( <b>Sen. T. McCotter</b> )
262		1037	Yes	5/1	5/1	05/01/02	<b>CRIMES;</b> Other; criminal provision relating to the use of bells on cutters and sleighs; repeal. ( <b>Sen. D. Koivisto</b> )
263	5152		Yes	5/1	5/1	05/01/02	<b>FINANCIAL INSTITUTIONS;</b> Savings banks; conversion of a chartered savings bank to a mutual holding company; provide for. ( <b>Rep. A. Sanborn</b> )
Veto	4022					03/15/02	<b>TRAFFIC CONTROL;</b> Speed restrictions; speed limits; allow input by townships in setting certain speed limits. ( <b>Rep. R. Jamnick</b> )

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+ - Line item veto

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**MICHIGAN ADMINISTRATIVE CODE TABLE**  
**(2002 SESSION)**

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*MCL 24.208 states in part:*

*“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:*

\*       \*       \*

*(i) Other official information considered necessary or appropriate by the office of regulatory reform.”*

*The following table cites administrative rules promulgated during the year 2000, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).*

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**MICHIGAN ADMINISTRATIVE CODE TABLE**  
**(2002 RULE FILINGS)**

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R Number	Action	2002 MR Issue	R Number	Action	2002 MR Issue	R Number	Action	2002 MR Issue
281.1224	*	3	285.1317	*	6	285.1516	R	6
285.351	N	4	285.1318	*	6	285.1517	*	6
285.352	N	4	285.1319	*	6	285.1601	R	6
285.353	N	4	285.1320	*	6	285.1602	*	6
285.354	N	4	285.1321	*	6	285.1603	*	6
285.355	N	4	285.1322	*	6	285.1604	*	6
285.356	N	4	285.1323	*	6	285.1605	*	6
285.808.1	*	8	285.1324	*	6	285.1606	*	6
285.808.2	*	8	285.1325	*	6	285.1607	*	6
285.814.1	*	8	285.1326	*	6	285.1608	R	6
285.814.2	*	8	285.1327	*	6	285.1609	R	6
285.814.3	*	8	285.1328	*	6	285.1701	*	6
285.814.4	*	8	285.1329	*	6	285.1702	*	6
285.814.5	*	8	285.1330	*	6	285.1703	*	6
285.814.7	*	8	285.1331	*	6	285.1704	*	6
285.820.1	*	8	285.1332	*	6	285.1705	*	6
285.820.5	*	8	285.1401	*	6	285.1801	*	6
285.820.6	*	8	285.1402	R	6	285.1901	*	6
285.1101	*	6	285.1403	*	6	285.1902	*	6
285.1102	*	6	285.1404	R	6	285.1903	*	6
285.1103	*	6	285.1405	*	6	285.1904	*	6
285.1104	*	6	285.1406	*	6	285.1905	*	6
285.1201	*	6	285.1407	R	6	285.1906	*	6
285.1202	*	6	285.1408	*	6	285.1907	*	6
285.1203	*	6	285.1501	*	6	291.301	*	8
285.1301	*	6	285.1510a	A	6	291.303	*	8
285.1302	*	6	285.1502	*	6	291.304	*	8
285.1303	*	6	285.1503	*	6	291.311	*	8
285.1304	*	6	285.1504	*	6	291.312	*	8
285.1306	*	6	285.1505	*	6	291.313	*	8
285.1307	*	6	285.1506	*	6	291.314	*	8
285.1308	*	6	285.1507	*	6	291.315	*	8
285.1309	*	6	285.1508	*	6	291.316	*	8
285.1310	*	6	285.1509	*	6	291.317	*	8
285.1311	*	6	285.1510	*	6	291.318	*	8
285.1312	*	6	285.1511	*	6	291.319	*	8
285.1313	*	6	285.1512	*	6	291.321	*	8
285.1314	*	6	285.1513	*	6	291.322	*	8
285.1315	*	6	285.1514	*	6	291.331	*	8
285.1316	*	6	285.1515	*	6	291.332	*	8

(\* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2002 MR Issue	R Number	Action	2002 MR Issue	R Number	Action	2002 MR Issue
291.333	*	8	291.401	*	8	336.1371	*	5
291.334	*	8	291.402	*	8	336.1372	*	5
291.335	*	8	291.403	*	8	336.1374	*	5
291.336	*	8	291.404	*	8	336.1401	*	5
291.337	*	8	291.405	*	8	336.1403	*	5
291.338	*	8	291.407	A	8	336.1601	*	5
291.339	*	8	291.413	*	8	336.1602	*	5
291.341	*	8	291.422	*	8	336.1604	*	5
291.342	*	8	291.423	*	8	336.1605	*	5
291.343	*	8	291.424	A	8	336.1606	*	5
291.344	*	8	291.425	*	8	336.1607	*	5
291.345	*	8	291.426	*	8	336.1608	*	5
291.346	*	8	291.427	*	8	336.1610	*	5
291.347	*	8	291.441	*	8	336.1615	*	5
291.351	*	8	291.442	*	8	336.1616	*	5
291.352	*	8	291.443	*	8	336.1617	*	5
291.353	*	8	291.449	*	8	336.1618	*	5
291.354	*	8	291.450	*	8	336.1619	*	5
291.355	*	8	291.471	*	8	336.1622	*	5
291.356	*	8	291.472	R	8	336.1623	*	5
291.357	*	8	291.473	R	8	336.1627	*	5
291.358	*	8	291.475	R	8	336.1628	*	5
291.359	*	8	291.476	R	8	336.1629	*	5
291.360	*	8	291.478	R	8	336.1630	*	5
291.363	*	8	291.479	R	8	336.1631	*	5
291.365	*	8	291.480	R	8	336.1651	*	5
291.375	*	8	291.491	*	8	336.1701	*	5
291.377	*	8	291.492	*	8	336.1702	*	5
291.378	*	8	291.493	*	8	336.1703	*	5
291.379	*	8	291.494	*	8	336.1704	*	5
291.381	*	8	291.495	R	8	336.1705	*	5
291.391	*	8	291.496	*	8	336.1901	*	5
291.392	*	8	291.497	*	8	336.1906	*	5
291.393	*	8	325.60151	*	1	336.1911	*	5
291.394	*	8	325.66201	A	4	336.1930	*	5
291.395	*	8	325.77101	*	1	336.1931	*	5
291.397	*	8	336.1301	*	5	336.1932	*	5
291.398	*	8	336.1303	*	5	336.2001	*	5
291.399	*	8	336.1330	*	5	336.2002	*	5
291.400a	A	8	336.1331	*	5	336.2003	*	5

(\* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)



R Number	Action	2002 MR Issue	R Number	Action	2002 MR Issue	R Number	Action	2002 MR Issue
336.2004	*	5	338.3143	*	7	408.11821	*	7
336.2005	*	5	338.3145	*	7	408.11822	*	7
336.2007	*	5	338.3151	*	7	408.11824	*	7
336.2011	*	5	338.3152	*	7	408.11825	*	7
336.2012	*	5	338.3153	*	7	408.11826	R	7
336.2013	*	5	338.3153a	*	7	408.11827	A	7
336.2014	*	5	338.3154	*	7	408.11833	A	7
336.2021	*	5	338.3161	*	7	408.11835	*	7
336.2040	*	5	338.3162	*	7	408.11837	R	7
336.2041	*	5	338.3162a	*	7	408.11841	*	7
336.2060	*	5	338.3163	*	7	408.11843	*	7
336.2101	*	5	338.3167	*	7	408.11844	A	7
336.2150	*	5	338.3168	*	7	408.11845	*	7
336.2155	*	5	338.3169	*	7	408.11847	*	7
336.2159	*	5	338.3170	*	7	408.11851	*	7
336.2170	*	5	339.23101	*	9	408.11852	*	7
336.2175	*	5	339.23103	*	9	408.11853	*	7
336.2189	*	5	339.23201	*	9	408.11854	A	7
336.2190	*	5	339.23203	*	9	408.11855	*	7
338.1555	A	1	339.23207	*	9	408.11857	*	7
338.3101	*	7	339.23301	*	9	408.11859	*	7
338.3102	*	7	339.23303	*	9	408.11861	*	7
338.3113	*	7	339.23307	*	9	408.11865	*	7
338.3113a	*	7	339.23309	*	9	408.11871	*	7
338.3114a	*	7	339.23311	*	9	408.11872	*	7
338.3117	*	7	339.23317	*	9	408.11873	A	7
338.3119a	*	7	339.23319	*	9	408.11874	A	7
338.3120	*	7	339.23321	*	9	408.11875	*	7
338.3121a	A	7	339.23323	*	9	418.101002	*	1
338.3123	*	7	339.23326	A	9	418.10107	*	1
338.3125	*	7	339.23401	*	9	418.10115	*	1
338.3126	A	7	339.23403	*	9	418.10116	*	1
338.3127	*	7	339.23405	*	9	418.10117	*	1
338.3132	*	7	408.11801	*	7	418.10202	*	1
338.3133	R	7	408.11803	*	7	418.10205	*	1
338.3134	R	7	408.11804	*	7	418.10405	R	1
338.3136	*	7	408.11805	*	7	418.10406	R	1
338.3138	*	7	408.11806	*	7	418.10407	R	1
338.3139	*	7	408.11807	A	7	418.10411	R	1
338.3141	*	7	408.11808	A	7	418.10415	R	1

(\* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2002 MR Issue Number	R Number	Action	2002 MR Issue Number	R Number	Action	2002 MR Issue Number
418.10501	R	1	423.145	A	1	423.403	R	1
418.10502	R	1	423.146	A	1	423.405	R	1
418.10503	R	1	423.147	A	1	423.407	R	1
418.10901	*	1	423.148	A	1	423.411	R	1
418.10904	*	1	423.149	A	1	423.421	R	1
418.10909	A	1	423.149a	A	1	423.422	R	1
418.10912	*	1	423.149b	A	1	423.423	R	1
418.10916	*	1	423.151	A	1	423.431	R	1
418.10918	R	1	423.152	A	1	423.432	R	1
418.10923	*	1	423.153	A	1	423.433	R	1
418.101005	A	1	423.154	A	1	423.434	R	1
421.121	*	7	423.155	A	1	423.435	R	1
421.122	*	7	423.156	A	1	423.441	R	1
421.150	*	7	423.157	A	1	423.442	R	1
421.190	*	7	423.158	A	1	423.443	R	1
421.201	*	7	423.161	A	1	423.444	R	1
421.204	*	7	423.162	A	1	423.445	R	1
421.216	*	7	423.163	A	1	423.446	R	1
421.210	*	7	423.164	A	1	423.447	R	1
423.101	A	1	423.165	A	1	423.448	R	1
423.102	A	1	423.166	A	1	423.449	R	1
423.103	A	1	423.167	A	1	423.450	R	1
423.104	A	1	423.171	A	1	423.451	R	1
423.105	A	1	423.172	A	1	423.452	R	1
423.121	A	1	423.173	A	1	423.453	R	1
423.122	A	1	423.174	A	1	423.454	R	1
423.123	A	1	423.175	A	1	423.455	R	1
423.124	A	1	423.176	A	1	423.456	R	1
423.131	A	1	423.177	A	1	423.461	R	1
423.132	A	1	423.178	A	1	423.462	R	1
423.133	A	1	423.179	A	1	423.463	R	1
423.134	A	1	423.181	A	1	423.464	R	1
423.135	A	1	423.182	A	1	423.465	R	1
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423.138	A	1	423.191	A	1	423.468	R	1
423.141	A	1	423.192	A	1	423.469	R	1
423.142	A	1	423.193	A	1	423.470	R	1
423.143	A	1	423.194	A	1	423.471	R	1
423.144	A	1	423.401	R	1	423.472	R	1

(\* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2002 MR Issue
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423.482	R	1
423.483	R	1
423.484	R	1

(\* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)



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**ERRATUM**

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**Department of Agriculture – Pesticide & Plant Pest Management Division**

Seed Potato Certification (Reg. # 628) (ORR # 2000-089) was erroneously published in Michigan Register 2002, MR 7 under the heading “Proposed Rules.” The rules should have been published under the heading “Administrative Rules filed with the Secretary of State.” The rules were filed with the Secretary of State on April 25, 2002.